

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

IN RE:	CASE NOS. 23-20084-7-rlj
	23-20085-7-rlj
McCLAIN FEEDYARD, INC.;	23-20086-7-rlj
McCLAIN FARMS, INC.; and	
7M CATTLE FEEDERS, INC.,	
Debtors.	CHAPTER 7

DEPOSITION OF MEAGAN GOAD

The deposition of MEAGAN GOAD, taken by Rabo AgriFinance, LLC, pursuant to Subpoena on Tuesday, the 16th day of July, 2024, at the hour of 9:57 a.m., at the Law Offices of Farmer & Wright, 4975 Alben Barkley Drive, Suite 1, in the City of Paducah, County of McCracken, State of Kentucky, before me, Amy S. Fleming, RPR, CSR, and Notary Public in and for the Commonwealth of Kentucky at Large, to be used for the purpose of discovery and/or evidence and all other purposes allowed under the Federal Rules of Bankruptcy Procedure.

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125 Nahm Street, Suite 105
Paducah, Kentucky 42001
(270)443-9631
info@wkrsdepo.com

APPEARANCES

FOR RABO AGRIFINANCE:

Michael R. Johnson, Esq.
Matthew Cannon, Esq. (via Zoom)
RAY, QUINNEY & NEBECKER, PC
36 South State Street, Suite 1400
Salt Lake City, UT 84111
mjohnson@rqm.com

Linda Kobliska, Esq.
Head of Litigation & Asset Recovery
RABO DIVERSIFIED SERVICES
1402 Technology Parkway
Cedar Falls, IA 50613
linda.kobliska@raboag.com

Brad Bakker, Esq. (via Zoom)
RABO DIVERSIFIED SERVICES
14767 North Outer 40 Road, Suite 400
Chesterfield, MO 63017
brad.bakker@raboag.com

FOR HTLF BANK:

John Lovell, Esq.
Matthew S. Merriott, Esq. (via Zoom)
LOVELL, ISERN & FARABOUGH, PLLC
112 SW 8th Avenue, Suite 1000
Amarillo, TX 79101-2314
john@lovell-law.net
matthew@lovell-law.net

FOR AGTEXAS PCA AND DIAMOND T FEEDERS:

David L. LeBas, Esq.
Naman, Howell, Smith & Lee, PLLC
8310 N. Capital of Texas Highway, Suite 490
Austin, TX 78731
dlebas@namanhowell.com

1 APPEARANCES (continued)

2 FOR 2B FARMS, TERRY AND REBECCA ROBINSON:

3 Todd J. Johnston, Esq. (via Zoom)
4 McWHORTER COBB & JOHNSON, LLP
1722 Broadway
5 Lubbock, TX 79401
tjohnston@mcjllp.com
6

7 FOR MAP ENTERPRISES:

8 Thomas A. Swafford, Esq. (via Zoom)
SWAFFORD LAW
9 414 Union Street, Suite 1900
Nashville TN 37219
10 tony@swaffordlawfirm.com

11 FOR KENT RIES, CHAPTER 7 TRUSTEE:

12 Hudson Jobe, Esq. (via Zoom)
13 JOBE LAW, PLLC
6060 North Central Expressway, Suite 500
14 Dallas, TX 75206
hjobe@jobelawpllc.com
15

16 FOR DENNIS BUSS, ET AL

17 John Massouh, Esq. (via Zoom)
18 Sprouse Shrader & Smith
701 South Taylor Street, Suite 500
19 Amarillo, TX 79101
john.massouh@sprouselaw.com
20

21 FOR WILD FOREST CATTLE:

22 David Kelly, Esq. (via Zoom)
KEULER, KELLY, HUTCHINS, BLANKENSHIP & SIGLER, LLP
23 100 South 4th Street, Suite 400
Paducah, KY 42001
24 dkelly@kkhblaw.com
25

1 APPEARANCES (continued)

2 FOR RIDGEFIELD CAPITAL ASSET MANAGEMENT; ROBERT ELLIS;
3 DREW PHILLIPS; BARRY PHILLIPS; ROBERT CARRAWAY;
4 CARRAWAY CATTLE, LLC; AND BIG SEVEN CATTLE, LLC:

5 Amber Miller, Esq. (via Zoom)
6 CRENSHAW DUPREE & MILAM
7 Happy State Bank Building
8 4411 98th Street, Suite 400
9 Lubbock, TX 79424
10 amiller@cdmlaw.com

11 FOR MECHANICS BANK:

12 Javon Johnson, Esq. (via Zoom)
13 HUSCH BLACKWELL
14 1900 North Pearl Street
15 Suite 1800
16 Dallas, TX 75201-2467
17 javon.johnson@huschblackwell.com

18 FOR THE WITNESSES MEAGAN GOAD, WILLIAM JEDEDIAH GOAD,
19 AND KINSEY MORELAND

20 Charity Bird, Esq.
21 KAPLAN JOHNSON ABATE & BIRD, LLP
22 710 West Main Street, 4th Floor
23 Louisville, KY 40202
24 cbird@kaplanjohnsonlaw.com

25 Todd A. Farmer, Esq.
FARMER & WRIGHT, PLLC
4975 Alben Barkley Drive, Suite 1
Paducah, KY 42001

ALSO PRESENT:

Tom Thorlakson
Diamond T Feeders

Ben Thorlakson (via Zoom)
Diamond T Feeders

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The witness, MEAGAN GOAD, first having been duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. MICHAEL JOHNSON:

Q. Good morning. May I call you Meagan?

A. Yes, sir.

Q. Good morning, Meagan. My name is Michael Johnson. I represent Rabo AgriFinance. To my left is Linda Kobliska. She's an attorney in-house for Rabo. And I'll let everybody else introduce themselves to you.

MR. LEBAS: David LeBas, I represent Diamond T Feeders and AgTexas, PCA.

MR. LOVELL: John Lovell, I represent HTLF Bank, First Bank & Trust.

BY MR. MICHAEL JOHNSON:

Q. And of course you know who your lawyers are.

Can you confirm for me that you --

Well, first of all, give me your full name and address, please.

A. Middle name or just first and last.

Q. Whatever you go by?

A. Meagan Goad, 1775 Wadesboro Road South in

1 Benton.

2 Q. And will you confirm for me that you're
3 Brian McClain's daughter?

4 A. Yes.

5 Q. And you are married to Jed Goad. Is that
6 correct?

7 A. Yes.

8 Q. How long have you been married to Jed?

9 A. Since 2022.

10 Q. And did you live together before you
11 married him or --

12 A. Yes.

13 Q. How long did you live together with Jed?

14 A. Six months prior.

15 Q. Okay. And when did you start dating?

16 A. November 2020.

17 Q. And I know you met with your lawyers, but
18 let me go over some basic rules.

19 First of all, do you understand that you're
20 under oath here today?

21 A. Yes, sir.

22 Q. And it's just like giving testimony in
23 court, right?

24 A. Uh-huh (affirmative).

25 Q. It's very important -- and sounds like

1 you've been talked to, but it's very important that
2 we not talk over each other. So if I ask a
3 question, wait for me to finish before you answer,
4 and I will try to give you the same courtesy.
5 Okay?

6 A. Okay.

7 Q. If I ask you a question and you don't
8 understand it, will you please let me know?

9 A. Uh-huh (affirmative).

10 Q. And it's very important, of course, that
11 you give audible responses instead of, you know,
12 head nods and "uh-huh" and "uh-uh," so the court
13 reporter can take down --

14 A. Yes, sir.

15 Q. -- what we say. Okay.

16 Can you tell me what you did today to
17 prepare for this examination?

18 A. Spoke with my lawyers.

19 Q. And was that just today?

20 A. Yesterday as well.

21 Q. Without telling me what you talked about,
22 how long did you meet with your lawyers?

23 A. I think yesterday was two and a half hours.

24 MS. BIRD: Probably.

25 Q. And I assume that you looked at some

1 documents or records. Is that accurate?

2 A. No, sir.

3 Q. No? None at all?

4 A. No, sir.

5 Q. Was there anybody in the meeting besides
6 yourself and Ms. Bird and Mr. Farmer?

7 A. My husband.

8 Q. Okay. What is your educational background?

9 A. I've got an associate's degree in ag
10 science.

11 Q. From what institution?

12 A. Murray State.

13 Q. And what do you currently do for a living?

14 A. I work for Marshall County Livestock.

15 Q. Doing what?

16 A. Running a feedyard.

17 Q. So you work in the feedyard?

18 A. Yes, sir.

19 Q. Okay. And I assume you've been doing that
20 for, what, about a year or so?

21 A. Yes, sir.

22 Q. All right. You previously worked for the
23 McClain entities, correct?

24 A. Yes, sir.

25 Q. And how long had you worked for the McClain

1 entities?

2 A. Since probably 2005.

3 Q. And what were your job duties or tasks for
4 the McClain entities?

5 A. Going as far back as when I started or more
6 recently?

7 Q. Yeah, let's start from when you started.
8 And if it changed, will you kind of give us the
9 history of, I started doing this, and then I did
10 this, and let us know when that happened?

11 A. I was mainly just outside help. I would
12 help fix fences, process cattle, catch cattle.
13 That was probably until I graduated college in
14 2012, maybe.

15 After that, I started doing some of the
16 inside work, inputting feed, helping pay bills. I
17 was still doing outside work as well, helping
18 process cattle and things like that.

19 After I had my son in 2015, I started doing
20 more inside work. Not really much different, just
21 more so inside than out, but I still would go
22 outside.

23 Probably in 2020, 2021, I started being
24 inside full time for the most part. Just doing
25 basically anything he asked me to do: Run errands,

1 go pick up medicine, go get parts, make invoices
2 for customers. Basically anything he told me to
3 do, I would do.

4 Q. And "he" is Brian?

5 A. Yes.

6 Q. Your dad, right?

7 A. Yes.

8 Q. Okay. So what we're -- let's focus in on
9 the last half of 2022 and then up into 2023.

10 What were your, kind of, day-to-day job
11 responsibilities for the company?

12 A. I would check the bank in the mornings. I
13 would -- he had moved his office after he got hurt.
14 We had an IT company come in, and we moved his
15 office to his house. He had a full -- his full
16 office set up in his bedroom so he could roll up in
17 his wheelchair, sit at his desk. He had his
18 computer and everything there.

19 So, I mean, my duties didn't really change.
20 I did more paperwork because he had doctors'
21 appointments and things like that, but it was all
22 still basically the same thing. I would run him
23 things. I would have to run over there to grab
24 things that he needed me to do, but nothing had
25 really changed after that.

1 Q. You were a signer on the McClain bank
2 accounts, correct?

3 A. Yes, sir.

4 Q. When did you become a signer on the McClain
5 bank accounts?

6 A. The Rabo accounts, when it was opened, I
7 was a signer on it.

8 Q. At the --

9 A. At Mechanics --

10 Q. -- Mech Bank?

11 A. -- Bank, yes.

12 Q. And then, were you also a signer on the --
13 I think it was McClain Farms account at CFSB?

14 A. Yes, sir.

15 Q. Did you interact with investors and
16 customers as part of your job duties?

17 A. The only thing I interacted with them with
18 was giving them their invoices and telling them if
19 it would be -- I'm trying to figure out how to word
20 it. Giving them their invoices. Or if they asked
21 questions, it was basically, "You'll have to ask
22 Dad because I don't know."

23 Q. Okay. What other family members worked for
24 the business besides yourself?

25 A. My sister.

1 Q. Kinsey?

2 A. Kinsey, yes.

3 Q. What did Kinsey do?

4 A. She was an errand runner, basically, and
5 did -- she did some office work if I wasn't
6 available, but she basically was an errand runner.

7 Q. Was she full time?

8 A. Yes.

9 Q. And you were full time as well?

10 A. Yes.

11 Q. Did Piper or Kristin work for the company?

12 A. No, sir. Piper did briefly, but she -- all
13 she did was work in our lab where we have -- had --
14 what we call PI test the cattle. So we'd take a
15 notch out of their ear and test it for disease so
16 we could pull them out, and that's all she did.

17 Q. Okay. Did Chelsea ever work for the
18 company?

19 A. No.

20 Q. How about Crystal?

21 A. No.

22 Q. What was your salary, at least at the end,
23 for the company? How much were you making a year?

24 A. I don't know a year, but at the end, I
25 think it was \$1,200 a week.

1 Q. And then, do you recall how much your dad
2 was making and your sister?

3 A. No, I don't know.

4 Q. All right. Tell me about --

5 So you said your husband's Jed Goad. He's
6 the owner of JLE Trucking?

7 A. Yes, sir.

8 Q. And do you have an interest in that company
9 as well?

10 A. What do you mean by "interest"?

11 Q. Are you also an owner of the company?

12 A. No, sir.

13 Q. Do you work for the company?

14 A. No, sir.

15 Q. Have you ever worked for the company?

16 A. No, sir.

17 Q. What business is your husband in, JLE?

18 What business does that company engage in?

19 A. Trucking.

20 Q. All right. There were -- and I'll show you
21 an exhibit later. But we're aware that there are
22 many, many payments from the McClain entities to
23 JLE Trucking in the millions, many millions of
24 dollars. Does that surprise you?

25 A. No.

1 Q. What was JLE doing for the McClain
2 entities?

3 A. Trucking cattle.

4 Q. Was it -- how big -- how big is the
5 company? How many trucks does it have?

6 A. The company itself has three trucks and had
7 about six or seven trailers, so he leased three to
8 four trailers to other independent owners.

9 Q. Okay.

10 A. And that was just JLE.

11 Q. And was JLE the exclusive trucking company
12 for the McClain entities?

13 A. I wouldn't say exclusive because he subbed
14 out. He was a broker for other truck companies,
15 and so he would broker out loads that he couldn't
16 get covered.

17 Q. You know who Hudson Jobe is, right?

18 A. Uh-huh (affirmative).

19 Q. Mr. Jobe told me that you and your husband
20 had provided backup, like shipping records and
21 things like that, to justify the over \$8 million in
22 payments --

23 A. Yes.

24 Q. -- to JLE. Is that true?

25 A. Yes, sir.

1 Q. Can we get copies of those records?

2 MS. BIRD: Yeah. I mean, I think that's
3 fine. They were uploaded, I think. Weren't they?
4 Yeah, that's fine. We can send them over.

5 BY MR. MICHAEL JOHNSON:

6 Q. Okay. Do you know what records were
7 provided to the trustee?

8 A. It was invoices, like JLE's invoice, and
9 then it would be the invoice from --

10 So on the invoices, it would tell who
11 hauled each load, and so it was the person -- like,
12 each invoice from those people. And then if it was
13 trucks from JLE, it would be what we call their
14 trip pack. It's what they fill out every week
15 whenever they load. It says where they go and how
16 many miles.

17 Q. Have you or Jed -- Like I said, my memory
18 is it's over \$8 million that went to JLE.

19 Have you and Jed gone through -- you or Jed
20 gone through to try and determine how much of the
21 8 million actually went, you know, to the actual
22 truckers?

23 Do you understand my -- so my question is:
24 Did you really get \$8 million but 7 1/2 million
25 went to other --

1 MS. BIRD: I'm going to object to the way
2 you're phrasing the question. JLE Trucking
3 received money. She has no interest in it.

4 MR. MICHAEL JOHNSON: JLE, yes.

5 MS. BIRD: And I believe Jed is coming in
6 tomorrow to be deposed, and he could answer these
7 questions better since it's his company.

8 BY MR. MICHAEL JOHNSON:

9 Q. Is he a better witness on JLE payments?

10 A. Yes.

11 Q. Did your -- going back to your duties for
12 the McClain entities, did they ever change in any
13 material way other than, kind of you explained, you
14 went from being outside more to the inside?

15 A. No.

16 Q. You said your dad got hurt. When did that
17 happen?

18 A. October, the beginning -- end of September,
19 first of October of 2022.

20 Q. And what happened to him?

21 A. He broke his pelvis.

22 Q. Was he in a rodeo or something like that?

23 A. Yeah.

24 Q. All right. And did your role change after
25 that really as far as responsibilities?

1 A. No.

2 Q. Can you describe -- and let's focus in the
3 20- -- let's say '21, '22, '23 period.

4 What was the business of the McClain
5 enterprise or entities?

6 A. Background in cattle.

7 Q. What do you mean by that?

8 A. Growing cattle.

9 Q. So it would purchase baby calves?

10 A. I wouldn't call baby calves, but calves,
11 yes.

12 Q. Okay. And was there a particular area or
13 part of the country where it would -- where
14 calves -- calves would typically be acquired from?

15 A. It would range from different places.

16 Q. And so it would buy smaller calves, grow
17 them, and then sell them when they were ready --
18 when they became -- when they were ready to be
19 slaughtered?

20 A. Yes. Some was -- there was a middle piece
21 in there. Some would go to horse shows in between,
22 but yes.

23 Q. Cattle would go to horse shows?

24 A. Yes.

25 Q. How come? What were they used for?

1 A. Team penning, cutting, sorting.

2 Q. So, like, rodeos and things like that?

3 A. Yes.

4 Q. I know that there were -- there are three
5 entities. There's McClain Farms, there's McClain
6 Feedyard, and there's 7M --

7 A. Yes, sir.

8 Q. -- right?

9 What was the reason or business purpose for
10 each of those entities?

11 MS. BIRD: Objection. You haven't asked
12 her if she had an interest in any of those entities
13 or reason to know that.

14 MR. MICHAEL JOHNSON: She objected, but you
15 can still answer my question.

16 MS. BIRD: If you know, you can answer.

17 A. I don't.

18 BY MR. MICHAEL JOHNSON:

19 Q. You don't know why -- you didn't -- you
20 didn't have an ownership interest in any of the
21 McClain entities, right?

22 A. No.

23 Q. That was your dad's companies?

24 A. Yes.

25 Q. And you don't know why your dad decided to

1 have three separate entities: McClain Farms,
2 McClain Feedyard, and 7M?

3 A. No.

4 Q. Did any of those entities do different
5 things?

6 A. No.

7 Q. So they all acquired calves, grew the
8 calves, and then sold the calves when they were
9 ready to slaughtered?

10 A. Yes.

11 Q. Did the -- while you were working for your
12 dad, did the nature of the business ever change?

13 A. It got -- when we started sending cattle to
14 horse shows, it did. We got more focused on
15 sending cattle to horse shows, but that's really
16 the only thing.

17 Q. And how did the company make money sending
18 cattle to horse shows? Did the --

19 A. I don't know.

20 Q. You don't know how that worked?

21 A. (Shakes head negatively.)

22 Q. I've seen the name "Lesh." Were they big
23 in the horse show circuit?

24 A. Yes.

25 Q. Do you know where -- Well, was there a

1 particular part of the country where cattle were
2 typically purchased from when your husband was
3 typically shipping cattle for them?

4 A. It wasn't ever just one place, if that's
5 what you're asking. No, it was not just one
6 certain place.

7 Q. I've heard that most of the -- most of the
8 cattle were acquired out of, like, Florida and
9 Georgia. Is that accurate or no?

10 A. A lot of the cattle were purchased out of
11 Florida, yes.

12 Q. And then they would be shipped to either
13 Kentucky or Texas?

14 A. Yes.

15 Q. Do you know -- do you know why certain
16 cattle would be shipped to Kentucky and certain
17 cattle would be shipped to Texas?

18 A. When you get cattle out of Florida, they're
19 a bit on the crazy side. In Kentucky, we did not
20 have resources to keep them in. They would destroy
21 fences, things like that. So if they were more on
22 the crazy side, they went to Texas. If they were
23 more on the calm side, they would come to Kentucky.

24 Q. So it really depended on --

25 A. Their demeanor.

1 Q. -- their demeanor?

2 And you indicated that either your husband
3 shipped a lot -- your husband personally, his
4 company, shipped a lot of the cattle. And if not,
5 he also brokered loads for your dad, and so third
6 parties would have shipped?

7 A. Yes.

8 Q. Now, you said that the business was
9 primarily growing cattle, and then there was the --
10 the rodeo piece.

11 Did the McClain entities feed other
12 people's cattle?

13 A. Some.

14 Q. Did that happen in both Kentucky and Texas?

15 A. Yes.

16 Q. Okay. And you say "some." Off the top of
17 your head, do you remember whose cattle were being
18 fed?

19 A. 2B Farms, Scott Livestock. Don Jones had
20 some there. And these were people that would send
21 those cattle there to be fed.

22 Q. Okay. How did the company make sure that
23 company-owned cattle were segregated from
24 third-party cattle? How did you make sure that --
25 you know, that -- for example, Tom Thorlakson, he

1 may have been one who had cattle.

2 How'd you make sure that his cattle were
3 separated from McClain cattle?

4 A. I don't know how they did it, but the
5 people who would send cattle in there, their cattle
6 would be branded.

7 Q. Okay. Always?

8 A. Yes.

9 Q. Okay. And were McClain cattle branded?

10 A. No.

11 Q. Do you know why McClain cattle weren't
12 branded?

13 A. No.

14 Q. Do you know how -- how -- how big a part of
15 the business was the feeding other people's cattle
16 part? Was it, you know, half the cattle on site
17 were third party? Was it 5 percent? Do you know?

18 A. I'm not sure.

19 Q. Would you say it was a large piece?

20 A. Of cattle that I knew of that were from
21 other people that they sent them there would not be
22 a very large piece.

23 Q. What records did the company maintain in
24 the ordinary course as far as -- for example, let's
25 start with cattle ownership. If I wanted to know

1 how many cattle we had besides going and counting
2 them, how many cattle he had, where would I go in
3 the company's records to find that out?

4 A. I don't know.

5 Q. How --

6 A. He kept all of that. I don't know if he
7 kept it in his head or what, but I don't know.

8 Q. He kept all of those records? So you
9 couldn't go on the computer and type up and say,
10 "We've got 25,000 head"?

11 A. Back when I was doing more of the computer
12 work for that particular thing, yes, you could
13 have, but more recently, no.

14 Q. You said "back when." When was "back
15 when"?

16 A. I can't really give you an exact date.
17 Maybe 2021.

18 Q. And you said "he." Brian kept all -- kept
19 all that information --

20 A. Yes.

21 Q. -- correct?

22 Are you in possession -- you personally,
23 are you in possession of any McClain records that
24 haven't been provided to the trustee?

25 A. No.

1 Q. Are you aware of any records that might be
2 missing that your dad may have had that no one can
3 find?

4 A. No.

5 Q. Tell me about the investor part of the
6 business. How did that work?

7 A. I never had any -- the only dealings I had
8 with the investors was making the invoices off the
9 information he gave me. I never had any other
10 dealings with it.

11 Q. So you don't know anything other than you
12 made invoices?

13 A. No.

14 Q. And so what would the -- so this would be
15 an invoice from a McClain entity?

16 A. Yes.

17 Q. Was it a particular McClain entity? Was it
18 Farms, 7M, MFY, or was it all three of them?

19 A. An invoice could be from any of the three.

20 Q. How did you know what to put on the
21 invoice?

22 A. He would tell me.

23 Q. So he would say, for example, "Make out an
24 invoice to Mr. Lovell. Here's the number of head.
25 Here's the price."

1 Any other information on there?

2 A. The weight.

3 Q. The weight?

4 A. (Nods head affirmatively.)

5 Q. Okay. And would he have you then send that
6 invoice to, say, Mr. Lovell?

7 A. Yes, sir.

8 Q. Okay. And then what would happen?
9 Mr. Lovell presumably would send money to the
10 company?

11 A. Yes.

12 Q. All right. And the purpose -- what was the
13 purpose of that transaction as you understand it?

14 A. I don't know.

15 Q. This is -- that's a check for you.

16 (Reference to Exhibit Number 35.)

17 BY MR. MICHAEL JOHNSON:

18 Q. This is an exhibit book. Will you turn to
19 Exhibit 35?

20 Have you -- I'll let Charity look at it
21 real quick.

22 Have you -- do you recognize either this
23 document or the form of this document?

24 A. The form of it, yes.

25 Q. Okay. And is that your signature at the

1 bottom?

2 A. Yes.

3 Q. So what is this page 1, Cattle Feeding
4 Agreement?

5 A. I can just -- it's a cattle feeding
6 agreement. I was never informed on what -- I just
7 plug numbers in and would print it off and send it.

8 Q. So are you -- are you the person that would
9 typically prepare and sign these agreements for the
10 company?

11 A. Yes.

12 Q. Is it your testimony that your dad would
13 tell you who the other party was to it, make out a
14 cattle feeding agreement, for example, MAP
15 Enterprise, right?

16 A. Yes.

17 Q. All right. And the information -- well,
18 it's dated March 31, '23. And then the information
19 down at the bottom, it says, (As read) "This
20 agreement is for 434 head of heifers, total weight
21 of 258664 pounds at a price of 1.9296 per pound.
22 Total cost for this group of cattle is \$499,118.05,
23 which MAP Enterprises paid to McClain Feedyard.
24 Sales contract at 18 -- 1.8640 @ 775."

25 So your testimony is your dad would provide

1 all that information that I just read to you?

2 A. That information would come from this
3 projected closeout.

4 Q. So that's page 3 of the exhibit, I believe.

5 A. Yes.

6 Q. Just for the record, we're looking at --
7 these ones are Bates labeled. So it's Whitlock
8 1242 through 1263.

9 Well, let's just -- so page 2, Meagan, is
10 an invoice. Is that the type of -- is that like
11 the invoice you testified you would prepare? It's
12 similar to that?

13 A. Yes.

14 Q. Okay. And so you would have prepared this
15 document?

16 A. Yes.

17 Q. And then it says if there's a question,
18 contact you at Meagan Goad at phone number and your
19 email address, correct?

20 A. That's my father's email address.

21 Q. Okay. And then page 3 is the projected
22 closeout. Did you prepare the projected closeout?

23 A. Yes, with the numbers he would give me.

24 Q. So he would tell you the information that
25 is set forth in the projected closeout, and you

1 would create the document?

2 A. Yes.

3 Q. Okay. And would you send -- what would you
4 send in this case to MAP? Would you send the
5 cattle feeding agreement, the invoice, and the
6 projected closeout to MAP?

7 A. Yes.

8 Q. And then would you follow up with MAP in
9 this instance to make sure payment had been
10 received, or had they already paid?

11 A. My sister would go meet with Whitlock, and
12 they would exchange checks.

13 Q. Kelsey?

14 A. Kinsey, yes.

15 Q. Or Kinsey. Okay.

16 So Kinsey would go -- Would that happen
17 before or after, or did it depend?

18 A. They would have -- it wasn't really a
19 before or after. It was within the same day. They
20 would go -- she would go and take the invoices to
21 them and then get a check for the invoice, and she
22 would give the check for the closeout that she
23 provided.

24 Q. And under these cattle feeding
25 agreements -- and MAP is just one of the

1 counter-parties to this.

2 The counter-parties to these cattle feeding
3 agreements, they weren't actually providing cattle
4 to McClain, right?

5 A. No.

6 Q. McClain was getting cattle from a third
7 party, and they were funding that purchase, right?

8 A. Yes.

9 Q. All right. So it's fair to say, right,
10 that the counter-parties to the cattle feeding
11 agreement were not sellers of cattle; they were
12 investors into cattle?

13 MR. LEBAS: Object to form.

14 MR. MASSOUH: Object as well.

15 MS. BIRD: You can answer anyway.

16 A. I don't really know how to answer it.

17 Q. Do you want me to --

18 MR. MICHAEL JOHNSON: Will you read the
19 question back?

20 THE REPORTER: Sure.

21 (The requested material was read back by
22 the reporter.)

23 MR. LEBAS: And the objection -- I'm not
24 sure if we're under federal rules, but if we are,
25 the objection is based on the overbroad nature of

1 the question; that is, it refers to investors in
2 general, not the particular subject of the
3 deposition exhibit under review.

4 MR. MICHAEL JOHNSON: This is --

5 MR. MASSOUH: I join in Mr. LeBas'
6 objection, and also object to the extent it calls
7 for the witness to provide a legal conclusion.

8 BY MR. MICHAEL JOHNSON:

9 Q. Do you feel able to answer the question?

10 A. I don't know.

11 MS. BIRD: If you don't know, then you
12 don't know.

13 BY MR. MICHAEL JOHNSON:

14 Q. Well, let's talk about this specific
15 example. So MAP Enterprises on March 31, 2023,
16 apparently sent the company \$499,118.05 related to
17 434 head of heifers, correct?

18 A. Yes.

19 Q. Would those heifers have been acquired from
20 MAP Enterprises, or would they have been acquired
21 from somebody else?

22 A. Someone else.

23 Q. And was that typical of how these cattle
24 feeding agreements worked, that someone was funding
25 McClain, and then McClain was taking that money and

1 going to yet another party to acquire cattle?

2 MR. LEBAS: I'm going to restate the
3 previous objection I made a few minutes ago.

4 MR. MASSOUH: Same objection.

5 MS. BIRD: You can answer if you know.

6 A. Yes.

7 BY MR. MICHAEL JOHNSON:

8 Q. Were you the only one to sign cattle
9 feeding agreements, or did your dad and/or Kinsey
10 sign them as well?

11 A. I'm sure they signed at some point.

12 Q. Who kept track of how much money was coming
13 in from these cattle feeding agreements and how
14 much money was going out on these cattle feeding
15 agreements?

16 A. Brian.

17 Q. Only Brian?

18 A. Yes.

19 Q. Do you know if he had -- did he have a
20 Quickbooks accounting program or anything like that
21 to help him track all the money coming in and going
22 out?

23 A. We used Quickbooks, but it was for payroll
24 and just check-writing purposes. I didn't do
25 anything else with that, and I don't believe he

1 did.

2 Q. So do you know how he kept track --

3 A. I don't.

4 Q. -- of that?

5 Was it in his head?

6 A. I don't know.

7 Q. On the Quickbooks, to the extent there is
8 information in there, would you have been the
9 person to put that in, or would that have been
10 Brian?

11 MS. BIRD: Objection. Information is
12 vague. She testified that the payroll and
13 something else was only put into Quickbooks.

14 BY MR. MICHAEL JOHNSON:

15 Q. On payroll, are you the person to put the
16 payroll information into Quickbooks?

17 A. I wrote payroll checks, yes.

18 Q. And you also said that -- what else was it
19 used for, Quickbooks?

20 A. Writing checks.

21 Q. Okay. Was there a general ledger part that
22 was maintained as part of the Quickbooks?

23 A. As like a check register?

24 Q. Yeah.

25 A. There was a check register, yes.

1 Q. The counter-party to this cattle feeding
2 agreement, Exhibit Number 35, is McClain Feedyard.

3 Was McClain Feedyard always the
4 counter-party to the cattle feeding agreement, or
5 were the other entities sometimes counter-parties
6 to them?

7 A. I think McClain Feedyard was mostly, but
8 7M, I believe, was some as well.

9 Q. You're not --

10 A. I'm not sure on McClain Farms.

11 Q. Who was the person who decided whether it
12 would be McClain Feedyard or 7M or McClain Farms?

13 A. Brian.

14 Q. So he would tell -- he would tell you all
15 of that information?

16 A. Yes.

17 Q. Make out a cattle feeding agreement. It's
18 going to be between this McClain entity and this
19 third party, right?

20 A. (Nods head affirmatively.)

21 Q. Here's how much money it's for. Here's the
22 head. Here's the weight. Here's the closeout
23 information. He provided all that information to
24 you?

25 A. Yes.

1 Q. Is it true that when investors in these --
2 or these counter-parties to the cattle feeding
3 agreements, when they were paid, is it true that
4 they were typically paid back out of McClain Farms?

5 A. Yes.

6 Q. Do you know why -- And I'm curious because
7 most of the cattle feeding agreements that I've
8 seen, not all of them, show McClain Feedyards. I
9 note that McClain Farms is the one paying these
10 folks back.

11 Do you know why that was structured that
12 way?

13 A. No, sir.

14 Q. That's a Brian decision too?

15 A. Yes.

16 Q. It's my understanding that a number of
17 investors or third parties and/or their banks may
18 have been in possession of signed but otherwise
19 blank checks drawn on the McClain accounts. Is
20 that true?

21 A. Yes.

22 Q. What was the purpose -- Well, first of all,
23 let me ask you this.

24 Who, sitting here today, do you remember
25 being in possession of signed but otherwise blank

1 McClain entity checks?

2 A. Can you rephrase the question?

3 Q. Sitting here today, from memory, who do you
4 remember as being in possession of signed but
5 otherwise blank McClain entity checks?

6 A. I would send to 2B Farms' bank. I don't --
7 I can't remember the name of his bank. Charles
8 Lockwood, all of the Leshes.

9 Q. And is that it as far as you remember?

10 A. Yes, as far as I can remember, yes.

11 Q. Do you know what the -- Why were they in
12 possession of signed but blank McClain checks?

13 A. I have no idea.

14 Q. That was a Brian decision as well?

15 A. Yes, sir.

16 Q. So would he tell you, "Hey, Meagan, send Bo
17 Robinson ten signed checks"?

18 A. Absolutely.

19 Q. And you would do that?

20 A. Yep.

21 Q. Were the McClain entities in possession of
22 signed but otherwise blank checks of third parties?

23 A. Can you rephrase that? Sorry, I didn't
24 hear the beginning of it.

25 Q. Just like Bo Robinson, for example, was

1 holding signed but otherwise blank McClain checks.

2 Was McClain, Brian, McClain entities, were
3 they in possession of checks that were signed drawn
4 on the accounts of third parties? Like, for
5 example, did you have any signed but otherwise
6 blank Bo Robinson checks?

7 A. Not Bo Robinson, but the Lesh people we
8 did.

9 Q. Tell me about the Leshes. And the reason I
10 ask that is I'm aware that there's lots of
11 transactions between the McClain entities and the
12 Leshes.

13 Were they doing these cattle feeding-type
14 agreements with the company, or what were they
15 doing with the company?

16 A. I don't remember. I think that some of
17 their invoices would have cattle feeding agreements
18 but not all of them. They would just get an
19 invoice and a projected closeout.

20 Q. Okay. But your understanding is they were
21 doing the same type of arrangements where they were
22 funding cattle purchases and then getting paid back
23 after the cattle were grown?

24 A. I don't know what their deal was with
25 Brian, but I would get -- make them invoices, and

1 they would get checks.

2 Q. Okay. And when -- when checks were sent,
3 it's true, isn't it, that you typically were the
4 one who signed the checks?

5 A. There was a stamp with my signature in our
6 office. So if Brian wrote a check, I wrote a
7 check, Kinsey wrote a check, my signature was the
8 one that was stamped on those checks.

9 Q. Was Brian -- was he a signer on the
10 checking -- on the accounts?

11 A. I don't see why he wouldn't be.

12 Q. Nor do I.

13 A. Yeah, that wouldn't make any sense, so I
14 would assume he was.

15 Q. And you obviously were. Anybody else that
16 you're aware of?

17 A. Kinsey.

18 Q. So she could sign too?

19 A. Uh-huh (affirmative). Yes.

20 Q. And when checks were cut, was that also
21 just Brian telling you, "Meagan, make out a check
22 to Bo Robinson for this amount of money"?

23 A. Yeah.

24 Q. And would you do that?

25 A. Yes.

1 Q. And would he tell you anything else, like,
2 This is for lot whatever or this cattle feeding
3 agreement?

4 A. No, he did not give any extra information.

5 Q. Just tell you who to make it to and the
6 amount?

7 A. Yes.

8 Q. And you were the one who would do that.
9 And then would you send the checks out?

10 A. I would more than likely put them in an
11 envelope, and then Kinsey would take them when
12 she'd go to town to send off the mail.

13 Q. When investors needed checks, would they
14 contact you?

15 A. No.

16 Q. They would just contact your dad?

17 A. Yes.

18 Q. Did you ever talk to your dad about why he
19 was letting third parties hold signed but blank
20 checks?

21 A. If I asked him any questions, he would say
22 let him handle it or let him deal with it.

23 Q. You said that Bo and Bo's bank were two of
24 the parties who had signed blank checks. How about
25 MAP Enterprises?

1 A. No.

2 Q. How about Wild Forest Cattle?

3 A. No.

4 Q. Did you ever talk to -- were you ever part
5 of the negotiations leading up to the execution of
6 these cattle feeding agreements?

7 A. No.

8 Q. That was strictly your dad?

9 A. Yes.

10 Q. Anybody else?

11 A. No.

12 Q. Did you prepare closeout records when --
13 Let me ask you this.

14 So I think you testified that usually, not
15 always, we would send a cattle feeding agreement,
16 an invoice, and a projected closeout --

17 A. Yes.

18 Q. -- correct?

19 And then at some point, you'd send a check
20 to the counter-party of the cattle feeding
21 agreement, right?

22 A. The check would not be off of any of those
23 three documents. The check would be off of the
24 closeout that they receive.

25 Q. Okay. And on closeouts -- so you're --

1 Are you the person who prepared the
2 closeouts?

3 A. Yes, off the information Brian would give
4 me.

5 Q. So you didn't have any independent -- were
6 there any independent, like, records showing, hey,
7 we sold 434 head at Bluegrass Auction, and here's
8 the amount we got for them?

9 A. No.

10 Q. It would all be from Brian just telling
11 you, Here's the info to put in the closeout and
12 send that and the check to whoever gets the check?

13 A. Yes.

14 Q. I may have asked you this, and if I did, I
15 apologize. You said that there were some
16 third-party cattle being fed. Was that in Texas
17 and Kentucky or just in Texas?

18 A. Mostly just Texas. There was a handful in
19 Kentucky.

20 Q. Are you aware of any records that are not
21 already in the possession of the trustee that would
22 relate to or belong to the McClain entities?

23 A. No.

24 Q. If I wanted to know how many cattle the
25 McClain entities owned at any one time, how would I

1 find that information out?

2 A. I don't know.

3 Q. I could obviously ask Brian, right?

4 A. Yeah.

5 Q. Are you aware that borrowing base reports
6 were submitted to Rabo?

7 A. Yes.

8 Q. Did you assist in the preparation of the
9 borrowing base reports?

10 A. I put the information into the spreadsheet.
11 I got the information from Brian to put on the
12 spreadsheet.

13 Q. So all of the information that was on
14 Rabo's borrowing base reports was relayed to you
15 from Brian?

16 A. Yes.

17 Q. You weren't looking at any independent
18 or -- any records, computer records, or hard copy
19 records? It was just -- he would tell you what to
20 put on there, and you would put it on there?

21 A. That's correct.

22 Q. Do you know whether they were accurate or
23 inaccurate?

24 A. I don't know.

25 Q. Do you know where the business records of

1 the entities were kept prior to Brian's death?

2 A. What business records?

3 Q. Like all the cattle feeding agreements, all
4 the closeouts, all the projected closeout records,
5 bank statements, check registers, trucking records.

6 A. They would all be kept in filing cabinets.

7 Q. Where?

8 A. In his office.

9 Q. And you said it was -- Was it originally
10 called the barn? Is that where --

11 A. Yes.

12 Q. And was the barn on his property?

13 A. It was his grandmother's property.

14 Q. And how close was that to his house?

15 A. Way a crow flies, about a mile and a half.

16 Q. And you said when he got hurt, all those
17 records were moved, or did they stay there?

18 A. Half and half.

19 Q. Okay.

20 A. He would take some, and we would have to
21 take some to him, then bring some back. It'd be a
22 back-and-forth.

23 Q. And was your office at the barn?

24 A. Yes.

25 Q. That's where you worked, and that's where

1 Kinsey worked?

2 A. Yes.

3 Q. Is that also where the --

4 Did you have a feedyard there in Kentucky,
5 or was that only in Texas?

6 A. It was there as well.

7 Q. And it was right by the barn?

8 A. Yes.

9 Q. We've received a download from Brian's cell
10 phone.

11 A. Uh-huh.

12 Q. But there are text messages missing from
13 around March of 2021 through December of 2022.
14 Were you aware of that?

15 A. No, sir.

16 Q. Do you know if something happened to his
17 phone? Did he break a phone? Did he lose a phone?

18 A. He did that quite often.

19 Q. Do you know whether he had a separate
20 phone?

21 A. I don't. I'm assuming he just had one.

22 Q. When you contacted him, did you always use
23 the same cell phone number?

24 A. Yes.

25 Q. How did he typically conduct business? Do

1 you know?

2 A. On the phone.

3 Q. So texting and talking on the phone?

4 A. Yes.

5 Q. Was he an emailer?

6 A. Some.

7 Q. What was his email address?

8 A. Mcclainfarms@gmail.com.

9 Q. Okay. And was that an email address that
10 you and Kinsey sometimes used?

11 A. It would have been used some to send to --
12 send invoices to customers.

13 (Reference to Exhibit Number 4.)

14 BY MR. MICHAEL JOHNSON:

15 Q. Turn, if you would, to Exhibit 4. Do you
16 need a break?

17 A. No. I was just washing off my glasses.

18 Q. Let me know whenever you want a break.

19 If you'll turn to Exhibit 4. It's a letter
20 from Greg McNutt?

21 MS. BIRD: Did you say 4?

22 MR. MICHAEL JOHNSON: Four, yes.

23 MS. BIRD: Oh, yeah.

24 BY MR. MICHAEL JOHNSON:

25 Q. Do you know Mr. McNutt?

1 A. Yes.

2 Q. He's the life -- the insurance agent for
3 your dad, right?

4 A. Yes, sir.

5 Q. And I know that you've settled with -- you
6 and Kinsey have settled with the trustee on the
7 life insurance payments you received, right?

8 A. Yes.

9 Q. So was the total -- was the total you and
10 Kinsey each received, was it 3.3 million,
11 3.2 million?

12 A. 3.1, I believe.

13 MS. BIRD: We provided all of that to the
14 trustee. To the extent you haven't received it, we
15 can certainly send it.

16 BY MR. MICHAEL JOHNSON:

17 Q. It was over 3, right?

18 A. Yes.

19 Q. And then I think you and Kinsey each paid a
20 million and a half. Is that true?

21 A. Yes.

22 Q. Okay. And Piper and Kristin received life
23 insurance payments, too, correct?

24 A. Yes.

25 Q. Did they receive the same amount as you and

1 Kinsey?

2 A. I believe so.

3 Q. Do you know how much Chelsea received in
4 life insurance?

5 A. Not exactly, no.

6 Q. Do you know generally?

7 A. I think it was less than a million.

8 Q. Do you know who paid the premiums on the
9 life insurance policies?

10 A. McClain Farms.

11 (Reference to Exhibit Number 2.)

12 BY MR. MICHAEL JOHNSON:

13 Q. If you'll turn back to Exhibit 2. These
14 are checks to Crystal. Crystal is your stepmom,
15 right?

16 A. Yes.

17 Q. The first three checks appear to have been
18 drawn on McClain Farms account at CFSB, correct?

19 A. Yes.

20 Q. And they were signed by Brian? Is that
21 your dad's signature?

22 A. Yes.

23 Q. All right. And then the -- the other
24 checks were drawn on the McClain Farms account at
25 Mechanics Bank, right?

1 A. Yes.

2 Q. And they were signed by you, correct?

3 A. Yes.

4 Q. Did McClain Farms move its bank account
5 from CFSB to Mechanics Bank?

6 A. Yes.

7 Q. Do you know when that happened?

8 A. Not exactly, no.

9 Q. Do you know why it happened?

10 A. I wasn't involved in any of it, so, no, I
11 don't know why.

12 Q. So your dad just said one day, "We're
13 moving to Mech Bank, and so now we're going to
14 start drawing checks on McClain Farms through
15 Mechanics Bank"?

16 A. Yes.

17 Q. And, I mean, I believe these are payments
18 that were made to Crystal to buy out her interest
19 in the company. Is that your understanding, or do
20 you know?

21 A. I don't know. No, I don't know.

22 Q. And would your -- on the checks that you
23 signed, would that have been your dad just
24 directing you to, for example, make out a check to
25 Crystal for \$50,000 and send it to her?

1 A. Yes.

2 (Reference to Exhibit Number 17.)

3 BY MR. MICHAEL JOHNSON:

4 Q. Turn to Exhibit 17, if you would. This is
5 the private suicide note that your dad left for
6 Chelsea. Did your dad leave suicide notes for you?

7 A. Yes.

8 Q. And Kinsey?

9 A. Yes.

10 Q. Do we have those?

11 A. You have mine.

12 MR. MICHAEL JOHNSON: Do we have copies of
13 those?

14 THE WITNESS: The trustee does, right?

15 MS. BIRD: Yeah. We turned over Meagan's.
16 Kinsey's was not turned over because it was not
17 responsive to the request.

18 BY MR. MICHAEL JOHNSON:

19 Q. What did your dad tell you in the suicide
20 note he left you?

21 A. He was sorry. There's two sides of him. I
22 didn't know the second side.

23 Q. Similar to -- have you seen this one to
24 Chelsea before?

25 A. No.

1 Q. He makes similar statements here that
2 there's two sides. That one was, you know, your
3 husband, and one was the person who was stealing.

4 Did he tell you that -- in the note he left
5 you that he was stealing money?

6 A. No.

7 Q. Did he explain what he meant by "separate
8 sides"?

9 A. No.

10 MS. BIRD: Can we take a break?

11 MR. MICHAEL JOHNSON: Yes, yes.

12 (A brief recess was taken.)

13 BY MR. MICHAEL JOHNSON:

14 Q. Before we talk about the note, let me go
15 back and ask a few follow-up questions.

16 Was there an outside bookkeeper for the
17 McClain entities?

18 A. Yes.

19 Q. Who was that?

20 A. Angela Powell.

21 Q. And where is she located at?

22 A. Benton.

23 Q. Does she have a company?

24 A. She worked for H&R Block.

25 Q. H&R Block. Is she the same person who did

1 bookkeeping for, like, MAP --

2 A. No.

3 Q. -- or a different person?

4 A. Different.

5 Q. What services did she provide? Was she
6 doing the books?

7 A. She reconciled bank statements and things
8 of that nature, prepared -- she started to prepare
9 taxes. She quit doing those. But she would input
10 anything in Quickbooks that was not in there,
11 deposits, things like that, but mainly just
12 reconciling, and she would do the quarterly taxes.

13 Q. And would she -- if you needed, for
14 example, a balance sheet or an income statement,
15 would she be the person you would talk to?

16 A. I never asked for those, so I'm not sure.

17 Q. Okay. And you said she did taxes as well?

18 A. Yes, sir.

19 Q. And then was there an accounting firm that
20 also prepared -- either compiled or -- some sort of
21 financial statements?

22 A. Carr, Riggs & Ingram.

23 Q. I think they're out of New Mexico. Is that
24 right?

25 A. I'm not sure.

1 Q. Did you work with the Carr Riggs folks?

2 A. No, sir.

3 Q. So they were strictly dealing with your
4 dad?

5 A. My dad and Angela, I believe.

6 Q. Other than Florida -- you said a lot of the
7 young calves were purchased out of Florida. Do you
8 have a recollection where -- what other states
9 young calves would have been purchased out of?

10 A. Kentucky, Tennessee, Oklahoma, Alabama,
11 Texas.

12 Q. So all over?

13 A. Yes, sir.

14 Q. Do you know what weight the young calves
15 would typically be purchased at?

16 A. They could be anywhere from 300 to
17 600 pounds.

18 Q. And you mentioned the -- the demeanor of
19 the calves is the terminating fact- -- the
20 determinating factor on whether they would come to
21 Kentucky or go to Texas, right?

22 A. It was one of them, yes.

23 Q. Who made that decision? Was it --

24 A. Brian.

25 Q. -- Brian?

1 So would he go and look at the calves
2 before they were shipped out?

3 A. He would go down there in the spring and go
4 meet with the different farmers down there and look
5 at cattle. He wouldn't go down there directly
6 before they were shipped, no, but he would go down
7 there in the spring.

8 Q. And then so -- and then he was the one who
9 made the decision to either send them to Benton or
10 send them to Texas?

11 A. Yes, sir.

12 Q. Okay. What was your dad's level of
13 computer skills? Would you say he was, for a
14 50-year-old man, pretty competent or --

15 A. No.

16 Q. -- like most 50-year-old men, pretty
17 incompetent?

18 A. Pretty incompetent.

19 Q. Was he capable of building, like, an Excel
20 spreadsheet?

21 A. Yes.

22 Q. For the information that was provided to
23 Angela, did he input that data into the computer,
24 or would that be you?

25 A. What information?

1 Q. Like check information, whatever
2 information Angela was using to, like, reconcile,
3 things like that.

4 A. She would use the check register from
5 Quickbooks, and she would use the bank statements.

6 Q. Did your dad keep handwritten records?

7 A. Yes.

8 Q. What type of handwritten records would he
9 keep?

10 A. Can you elaborate?

11 Q. Yeah. Like, was it, like, cattle inventory
12 records, sale records?

13 A. I never went through any of his stuff, so I
14 don't know.

15 Q. How did -- did he have like a notebook, or
16 did he have like a journal? How did he keep his
17 handwritten records?

18 A. Yellow legal pads.

19 Q. Okay. How many checks would you typically
20 make out each day for the companies?

21 A. It could range from 2 to 20.

22 Q. Was there a broker in Oklahoma that
23 assisted your dad in acquiring cattle?

24 A. Yes.

25 Q. What was that broker's name?

1 A. Sonny Barthold.

2 Q. Sonny Barthold?

3 A. Yes.

4 MR. LOVELL: Could you spell that last
5 name?

6 THE WITNESS: B-A-R-T-H-O-L-D.

7 MR. LEBAS: Do you know the town in
8 Oklahoma? Do you recall?

9 THE WITNESS: He purchased at Oklahoma City
10 Stockyards, but that's all I know.

11 BY MR. MICHAEL JOHNSON:

12 Q. And then I know the company had some
13 relationship with Riley Cattle?

14 A. Yes.

15 Q. And what was that relationship?

16 A. Basically, all of our cattle sold that went
17 to Friona Industries went through Riley's, and they
18 owned three of the sale barns that cattle were
19 purchased for, and they would purchase cattle to
20 come to us.

21 Q. So they were acting like a broker?

22 A. Yes, sir.

23 Q. Do you know what their functional
24 arrangement was between Riley and McClain?

25 A. No.

1 Q. When you were working for the company, did
2 you have a -- like a PC, or did you have more like
3 a laptop?

4 A. A PC.

5 Q. And do you know what happened to that PC?
6 Does the trustee have that?

7 A. I'm not sure who has it.

8 Q. You don't have it?

9 A. No.

10 Q. How about Kinsey? Did she have a separate
11 computer.

12 A. No. She had a laptop, but it was not
13 relevant to anything.

14 Q. Let's turn back to the suicide note. And I
15 understand this wasn't written to you, but -- but
16 about just more than halfway down the first page,
17 your dad tells Chelsea --

18 Well, first of all, do you recognize this
19 as your dad's handwriting?

20 A. Yes.

21 Q. All right. Your dad tells Chelsea, "Cory
22 Robbie Russell and Eddie Stewart have life
23 insurance on me don't give them anything."

24 Do you see that?

25 A. Yes.

1 Q. Who are Cory, Robbie -- and I don't know if
2 it's Robbie Russell or if it's two different
3 people. But do you know who Cory, Robbie Russell,
4 and Eddie Stewart are?

5 A. Yes.

6 Q. Who are they?

7 A. Investors.

8 Q. Investors. What's Cory's last -- is that
9 Cory Priest?

10 A. Yes, sir.

11 Q. And is it Robbie Russell, or are Robbie and
12 Russell two different people?

13 A. It's Robbie Russell.

14 Q. Okay. So it's Cory Priest, Robbie Russell,
15 and Eddie Stewart?

16 A. Yes.

17 Q. And are those Kentucky folks or Texans?

18 A. Robbie and Eddie are from Tennessee, and
19 Cory is from Texas.

20 Q. Were you aware that they had life insurance
21 on your dad?

22 A. No.

23 Q. Do you know why they would have life
24 insurance on your dad?

25 A. I do not.

1 Q. If you look at the bottom, do you see -- he
2 says, "There are two sides of me. One you have" --
3 something or another, "the other that stole from
4 people."

5 Do you see that?

6 A. Yes.

7 Q. Were you aware that your dad was stealing
8 from people before he killed himself?

9 A. No.

10 Q. Do you have an understanding now that he
11 was doing that?

12 A. I don't know what he was doing. It wasn't
13 good whatever it was.

14 Q. And you said your dad left you a suicide
15 note, and you've given a copy to the trustee?

16 A. Yes.

17 MR. MICHAEL JOHNSON: Do you have an
18 objection if the trustee shares a copy with us?

19 MS. BIRD: No.

20 (Reference to Exhibit Number 20.)

21 BY MR. MICHAEL JOHNSON:

22 Q. Let's turn to Exhibit 20. These are
23 documents produced by Whitlock bearing
24 Whitlock00064 through 0000128.

25 Do you know who Julie Whitlock is?

1 A. I know of her, yes.

2 Q. Who do you understand her to be?

3 A. She was who we met with to exchange checks
4 with for MAP Enterprises.

5 Q. So she was an agent or accountant for MAP?

6 A. Yes.

7 Q. All right. And this email is from Meagan,
8 maebrook627@gmail.com?

9 A. Yes.

10 Q. Is that you?

11 A. Yes.

12 Q. So is that your gmail account?

13 A. Yes.

14 Q. And did you often do business using your
15 personal gmail account for the company?

16 A. I would send some invoices and cattle
17 feeding agreements and things through my email,
18 yes.

19 Q. And did Kinsey ever send out documents like
20 you did?

21 A. She would send them through my email.

22 Q. Okay. So if she sent them, it would be
23 through the same maebrook627 email?

24 A. Yes, sir.

25 Q. Who's Danni Ward?

1 A. She worked at Whitlock.

2 Q. Oh, so she worked for Whitlock. Okay.

3 So if you turn to the next page --

4 MR. LEBAS: What's the exhibit number?

5 MR. MICHAEL JOHNSON: This is Exhibit 20.

6 MR. LEBAS: Thank you.

7 BY MR. MICHAEL JOHNSON:

8 Q. Well, thumb through this and tell me what
9 these records appear to be.

10 A. I'd be the invoices, closeouts, projected
11 closeouts, and cattle feeding agreements to MAP.

12 Q. So they're a whole host of cattle feeding
13 agreements and related documents related to
14 transactions between the McClain Feedyards and
15 MAP Enterprises, right?

16 A. Yes.

17 Q. Who did you understand the person -- if you
18 did understand, the person who was the owner or
19 operator in charge of MAP Enterprises?

20 A. Mike Gourley.

21 Q. And he's a -- he's a local Kentucky guy,
22 isn't he?

23 A. Yes.

24 Q. Is he in Paducah?

25 A. No. Mayfield.

1 Q. Mayfield. What does Mr. Gourley do for a
2 living?

3 A. I don't know.

4 Q. How about Wild Forest Cattle? Do you
5 understand -- do you know who Wild Forest Cattle
6 is?

7 A. Yes, sir.

8 Q. That's a Kentucky entity, right?

9 A. Yes, sir.

10 Q. And Sam Brown was the person behind --

11 A. Yes, sir.

12 Q. And what did Sam -- do you know what Sam
13 Brown does for a living?

14 A. He owns a pharmacy.

15 Q. He's a pharmacist. Okay.

16 Are you -- on this Exhibit 20, are you the
17 person who would have created and then sent all the
18 information to Danni?

19 A. Yes. After Brian would've given me the
20 information, I would have plugged them into the
21 spreadsheet.

22 Q. So all of the information in here you have
23 created to send, but it would have been -- the
24 information would have been provided to you by
25 Brian?

1 A. Yes.

2 Q. Okay. Do you have an understanding of how
3 these cattle feeding arrangements worked?

4 A. I never paid them any attention. I just
5 plugged in the numbers I was supposed to plug in
6 and...

7 Q. Okay. So if you'll turn, Meagan --
8 probably the easiest way is to look at the
9 bottom one, page 77.

10 A. I don't know where the page numbers are.

11 Q. Down here at the bottom. I should have
12 told you. I apologize.

13 So page 77 is an email that you sent to
14 Danni, right?

15 A. Yes.

16 Q. "Here's the information for today."

17 And then when you turn the page, there's
18 some closeout information, right?

19 A. Yes.

20 Q. So -- and these closeout sheets are the
21 sheets that -- what would have been sent along with
22 the checks for the same amount shown on -- where it
23 says "check for" and it shows the amount?

24 A. Yes, sir.

25 Q. So when an investor would be paid, they

1 would get a check, and they would get a closeout
2 sheet like this --

3 A. (Nods head affirmatively.)

4 Q. -- to support the information on the check?

5 MR. LEBAS: Object to the form, to the use
6 of the term "investor" in an overly broad manner.

7 A. Not all investors would get a closeout
8 form.

9 MR. LEBAS: Object to the responsiveness of
10 the question -- of the answer to the overbroad
11 question.

12 BY MR. MICHAEL JOHNSON:

13 Q. How was it decided whether an investor or
14 customer would get a closeout form?

15 A. Brian would tell me who gets a closeout and
16 who doesn't.

17 Q. Do you have an understanding about why some
18 people didn't get closeout forms?

19 A. No.

20 Q. Just whatever Brian told you?

21 A. Yes.

22 Q. So when a -- let's take the folks who did
23 get closeout forms, in this case MAP.

24 So you say, "Here's the information for
25 today." And then we have one, two, three, four,

1 five, six, seven -- we have seven different
2 closeout forms if I'm counting right. Eight.
3 Sorry. We have eight closeout forms.

4 And then would -- would there be a single
5 check cut totaling the eight closeout forms, or
6 would you cut a check to match the precise amount
7 on each closeout?

8 A. It would be a check cut for each closeout.

9 Q. So in this instance, in addition to sending
10 a closeout form, there would have been eight
11 separate checks that matched the amount of
12 closeout?

13 A. Yes, sir.

14 Q. And your testimony is that you didn't look
15 at any records to prepare these closeout forms.
16 You were just putting down what Brian told you to
17 do?

18 A. Yes.

19 Q. So would he come into the office and tell
20 you? Would he call you? How did that typically --

21 A. He would call me. He would -- sometimes he
22 would be there. But after he got hurt, most of it
23 was done over the phone.

24 Q. So he would just call you and tell you for
25 example, "Hey, Meagan, make out a closeout for MAP

1 for 431 head. Here's the cost. Here's the bought
2 weight. Here's the sold weight. Here's the sale
3 weight. Here's the cost of gain. Here's the
4 profit. Here's the check amount"?

5 A. Yes. And sometimes I would have that --
6 the invoice that corresponds to that closeout.

7 Q. Okay.

8 A. I would have that invoice, and I would
9 write the information down on that invoice so that
10 we would have that invoice that went with that
11 closeout, and then we would also have the
12 information written here if the closeout got
13 misplaced.

14 Q. Okay. And so when he called you or came in
15 the office, did you have notes that you would --
16 you know, where you would write this information
17 down before you would create it?

18 A. Most of it would be on the invoice. There
19 would be other times that there would be notes,
20 yes.

21 Q. Okay. But typically you would take the
22 invoice, which would already show you the amount
23 they forwarded, right?

24 A. Yes.

25 Q. And then you'd write on the cost of gain

1 and the sale price and then have your notes on
2 there to tie out to the check amount?

3 A. Yes.

4 Q. Okay. And then if you'll turn to -- on the
5 bottom of 86 and 87, just so we understand your
6 testimony. So 86 is an invoice, right?

7 A. Yes.

8 Q. And then 87 is a projected closeout?

9 A. Yes.

10 Q. So how it worked is typically, either when
11 money came in or right before or right after money
12 came in, you would send them an invoice and a
13 projected closeout?

14 A. Yes.

15 Q. The money would come in, and then once they
16 got paid back, you would send them a check and the
17 closeout information?

18 A. If it was -- there was a select few that
19 Kinsey would go meet with. And she would take the
20 invoices, the closeouts, all of the paperwork, and
21 the checks, and she would go meet that person, and
22 then she would get the checks from them and return.

23 Q. And you said there were a select few. Do
24 you remember which -- who the select few were?

25 A. MAP, Wild Forest Cattle, John and Michael

1 Tidwell.

2 Q. Is Tidwell also a local person?

3 A. Yes. It would be just local people, like
4 the people in Mayfield, and there was a couple of
5 guys from Mortons Gap that she would meet. But
6 everybody that she would meet would be local
7 people.

8 Q. Okay. And if you'll turn to 110, so this
9 is an email from you to Danni Moore, right?

10 A. Yes.

11 Q. And she worked for Julie Whitlock and MAP?

12 A. I know that she worked at Whitlock. I
13 don't know who it was, but I --

14 Q. But this related to MAP, right?

15 A. Yes.

16 Q. And you're saying, "Here is Map info. The
17 checks you are getting are \$3,333,495.66."

18 A. Yes.

19 Q. And then there are closeouts. And so
20 you're sending basically the closeouts, all of
21 which should total that number --

22 A. Yes, sir.

23 Q. -- correct?

24 And then would you -- you said on MAP, for
25 example, Kinsey would actually take them the check?

1 A. Yes, sir.

2 Q. Okay. You're aware, right, that in early
3 April the Mechanics Bank accounts were frozen?

4 A. Yes.

5 Q. Okay. Prior to that happening, did you
6 ever have a situation that you can recall where any
7 of these investors or customers, whatever we want
8 to call them, lost money on a sale?

9 A. No.

10 Q. They all made money every time?

11 A. Yes.

12 (Reference to Exhibit Number 21.)

13 BY MR. MICHAEL JOHNSON:

14 Q. All right. I'm going to go -- if you'll
15 turn to the next exhibit. And let me give you a
16 little context here.

17 This was an Excel spreadsheet that I
18 believe you produced to us as part of your
19 production.

20 A. I don't --

21 Q. Here's the issue --

22 A. -- recognize this at all.

23 MS. BIRD: She says she doesn't recognize
24 the document.

25 ///

1 BY MR. MICHAEL JOHNSON:

2 Q. I'll represent to you that it was in your
3 production list. The reason I'm asking you about
4 this is --

5 MR. LEBAS: What is the number? I'm sorry.

6 MR. MICHAEL JOHNSON: It's 21.

7 The reason I'm asking --

8 MR. FARMER: I've never -- I don't think
9 I've ever seen that before.

10 MR. MICHAEL JOHNSON: I thought you
11 produced it.

12 MS. BIRD: I don't think we reproduced
13 this.

14 MR. FARMER: I don't think we produced
15 that.

16 BY MR. MICHAEL JOHNSON:

17 Q. Here's my question on this. So there's a
18 dispute between Rabo and Kubota Credit and Komatsu
19 about whether certain equipment was owned by your
20 dad personally or by the companies.

21 A. Okay.

22 Q. This is some sort of a document which says,
23 for example, pay Kubota Credit out of the Farms
24 account, right? And pay Komatsu out of the 7M
25 account, right?

1 A. Yes.

2 Q. Did you have an understanding or do you
3 have an understanding of whether your dad
4 personally owned any Kubota or Komatsu Financial
5 equipment, or do you believe that it was owned by
6 the companies?

7 A. I don't know.

8 Q. One way or the other?

9 A. No, I don't know one way or the other.

10 (Reference to Exhibit Number 22.)

11 BY MR. MICHAEL JOHNSON:

12 Q. Okay. Exhibit 22, please. This is a
13 Domestic Wire Out Request that was submitted to
14 Mechanics Bank. Is that your signature on the
15 bottom?

16 A. Yes.

17 Q. Okay. And it appears that you are wiring
18 out 448,981.43 from the McClain Feedyard account to
19 your personal account --

20 A. Yes.

21 Q. -- correct?

22 And it says, "CATTLE PURCHASE"?

23 A. Yes.

24 Q. So tell me about your business dealings
25 with McClain unrelated to your working for them.

1 A. I would do -- have groups of cattle. They
2 would close out. I never got any paperwork on
3 them. Brian had all the paperwork. He would tell
4 me, "Hey, you know, we need to close our cattle
5 out."

6 "Okay." I would write him a check. He
7 would wire me the money back .

8 Q. So is it the same type of a deal that we
9 saw, for example, with MAP, that you were advancing
10 money, and he was then purportedly buying calves --

11 A. Yes.

12 Q. -- raising them, selling them, and then
13 paying you back and giving you some of the profit?

14 A. Yes.

15 MR. LEBAS: Object to the form. We don't
16 believe that's what the document provides.

17 BY MR. MICHAEL JOHNSON:

18 Q. So that's what this would be?

19 A. Yes.

20 Q. So you didn't actually sell and deliver
21 McClain cattle that was sitting on your property?

22 A. No, sir.

23 Q. Okay. This was all an investment-type
24 relationship?

25 A. Yes.

1 Q. Are you the person who routinely was the
2 one who was signing wire requests for the company?

3 A. Yes.

4 Q. And did you independently fill these out,
5 or were they always done at the direction of Brian?

6 A. Always done at the direction of Brian.

7 Q. Did you have any -- do you have any -- and
8 I think your answer was no. But do you have any
9 records that would support the cattle purchase
10 transaction referenced in this exhibit?

11 A. No.

12 (Reference to Exhibit Number 24.)

13 BY MR. MICHAEL JOHNSON:

14 Q. If you'll turn to Exhibit 24. And I'll
15 represent to you that this is a document that was
16 created by Steve Dawson, who's an accountant that
17 we've engaged.

18 And at least according to Steve, there are
19 nonpayroll transactions between you and the
20 companies showing that the companies transferred to
21 you 3.905 million and some change, and that you
22 transferred to the companies 2.963 million and some
23 change.

24 Number one -- Well, let me ask you this.

25 Why do we have millions of dollars being

1 exchanged between you and the McClain entities?

2 MR. FARMER: Did you specify a time period
3 for these transfers?

4 MR. MICHAEL JOHNSON: I did not specify a
5 time period. I believe that this is based upon a
6 review of the relevant bank accounts we would have
7 had.

8 MR. FARMER: Like, are we talking for --

9 MR. MICHAEL JOHNSON: It'd be several
10 years.

11 MR. FARMER: One year? Three years? Five
12 years? Ten years? I mean, what are we --

13 MR. MICHAEL JOHNSON: Not ten. Be like
14 probably three or four years.

15 BY MR. MICHAEL JOHNSON:

16 Q. Let me ask it this way. We just looked at
17 Exhibit 22, right? And you said that that was a
18 wire transfer because you were doing an investment
19 in cattle like other folks.

20 A. Yes.

21 Q. Would that explain why we see other monies
22 being exchanged between you and the companies,
23 because these are investments?

24 A. Yes.

25 Q. So you received a paycheck, and you had

1 these investment arrangements with your dad?

2 A. Yes.

3 MS. BIRD: Objection to the extent we don't
4 know what comprises this spreadsheet.

5 MR. MICHAEL JOHNSON: Understood.

6 BY MR. MICHAEL JOHNSON:

7 Q. But you believe that that's why you would
8 be receiving money, right? Because of these
9 investment-type arrangements?

10 A. Yes, but I can't guarantee that what's on
11 this spreadsheet is for investment purposes. It
12 could be being reimbursed for funds from me having
13 to go to town and get things or buy parts or such
14 as that nature.

15 (Reference to Exhibit Number 25.)

16 BY MR. MICHAEL JOHNSON:

17 Q. Okay. Exhibit 25, these are more invoices
18 and checks, for example, but they're with Bo
19 Robinson, right?

20 A. Yes.

21 Q. And we're getting late in the game. It's
22 dated -- the first one is dated April 4 of '23,
23 right?

24 A. Yes.

25 Q. Do you -- you know who Bo Robinson is,

1 right?

2 A. Yes.

3 Q. Did you personally deal with Bo ever?

4 A. I would send him his invoices and send him
5 his forms that he got for his closeouts, but
6 nothing more on a business level, no.

7 Q. So if -- if he needed money -- if the
8 company needed money from Bo, you wouldn't be the
9 one to have that call; it would be your dad?

10 A. Yes.

11 Q. When did you find out that the companies'
12 accounts had been frozen?

13 A. That morning.

14 Q. And what do you recall your dad saying
15 about that?

16 A. "What do you mean? Let me make some
17 calls."

18 Q. Did you make any calls? Did you talk to
19 anybody at Mechanics Bank personally?

20 A. I talked to -- I called customer service.
21 Because I didn't know that's -- I just know that I
22 couldn't get into the online banking, so I called
23 to ask. You know, "Is my password messed up? Do I
24 need to reset my token?"

25 And they said they would try to figure

1 something out and get back with me. They didn't
2 tell me.

3 Q. And then your dad -- you understand that
4 your dad had some conversations with them?

5 A. Yes.

6 Q. Did he tell you what they had relayed to
7 him?

8 A. If he did, I don't -- I can't repeat it
9 verbatim.

10 Q. Do you recall the general gist of what he
11 said?

12 A. Accounts are frozen.

13 Q. Between the time the accounts were frozen
14 and the time your dad passed away, which was -- was
15 it April 18th?

16 A. Yes.

17 Q. So about two weeks. The accounts were
18 frozen that whole time, right?

19 A. Yes.

20 Q. Did you personally have any interactions
21 with investors/customers about, "Hey, where's my
22 check" or "Your check bounced" or anything like
23 that?

24 A. If I had anyone text me, you know, "Hey, is
25 something going on," I would tell them, "Call

1 Brian."

2 And he told me -- he said, "If anybody
3 texts you or calls you, tell them to call me, and
4 I'll deal with it."

5 Q. Okay. So you didn't talk to them other
6 than, "Call my dad. Here's his number"?

7 A. Yeah.

8 Q. Okay. And you said your sister was the one
9 who would deal with MAP and Wild Forest?

10 A. Yes, sir.

11 Q. Not you?

12 A. I mean, I would if she wasn't -- like, if
13 her kid was sick or something of that nature but --

14 Q. And you were obviously communicating via
15 email with --

16 A. Yes.

17 Q. -- Julie Whitlock and her people?

18 A. Yes.

19 Q. Okay. I believe you told me you understood
20 that the companies were paying all the life
21 insurance premiums, right?

22 A. Yes, sir.

23 Q. And I apologize if I asked this. I forget.

24 But do you know why, generally, the
25 investors/customers were all being paid out of,

1 generally speaking, McClain Farms?

2 A. I don't know.

3 Q. Just was -- Brian just told you to do it
4 that way?

5 A. Yep.

6 (Reference to Exhibit Number 29.)

7 BY MR. MICHAEL JOHNSON:

8 Q. Turn, if you will, to Exhibit 29. I'm not
9 going to ask you a whole bunch of questions about
10 this. But it says, "Z Kinsey @ McClain Livestock."
11 Is that your sister?

12 A. I can't tell you for sure. I don't
13 recognize that name, so I would assume.

14 Q. You don't know any other Kinseys who were
15 involved with McClain Livestock --

16 A. No.

17 Q. -- right?

18 And these do appear to be -- at least page
19 one appears to be invoices that are being sent to
20 MAP, which is consistent, I think, with your
21 testimony that she was the one that was dealing
22 with MAP primarily?

23 A. Yes.

24 Q. I'm sorry these aren't Bates labeled, but
25 if you can turn into where it says -- Monday,

1 November 7th, is the date. It's probably -- I'm
2 sorry.

3 No, let's keep going. I'm not going to ask
4 you about that one. I'm going to keep going.
5 There's another one I was going to ask you about.

6 Oh, yeah, it's on Monday, November 14th.

7 MR. LEBAS: There's a tiny Bates number in
8 the bottom.

9 MR. MICHAEL JOHNSON: Oh, yes, there is.
10 It's Whitlock01293, if you can see it.

11 MR. LEBAS: Does it have the
12 number 1,607,673.80, the middle of the page?

13 MR. MICHAEL JOHNSON: Yes, that's it.

14 MR. LEBAS: Thank you. Got it.

15 BY MR. MICHAEL JOHNSON:

16 Q. Do you see that?

17 A. Yes.

18 Q. Do you know what it means when someone told
19 your sister, "Hey, will you be around to swap
20 checks today?"

21 A. It would be if she was coming to bring them
22 checks and they were giving her checks back for --

23 Q. Was that common that you would have checks
24 being exchanged? You know, "Here's a check for
25 you; here's my check back" on the same day?

1 A. Yes.

2 Q. Happened a lot?

3 A. With the local investors, yes.

4 (Reference to Exhibit Number 31.)

5 BY MR. MICHAEL JOHNSON:

6 Q. If you'll turn, Meagan, to Exhibit 31, I'll
7 just have you verify that this is a bank statement
8 for your --

9 William is your husband's legal name,
10 right?

11 A. Yes.

12 Q. Okay. And so this is your and Jed's
13 account at FKB?

14 A. Yes.

15 Q. And I see at the bottom of page 1, there's
16 an incoming wire from McClain Feedyards for
17 448,981.43. Do you see that?

18 A. Yes.

19 Q. So does JLE Trucking not have a separate
20 business account?

21 A. Yes.

22 Q. It does?

23 A. Yes.

24 Q. So do you know why monies would have been
25 coming -- would this have been a -- this -- so

1 would this not have been a bid for trucking? It
2 would have been for the investment-type thing we
3 were talking about?

4 A. That's correct.

5 Q. Okay. So if it was an investment deal, it
6 went to your personal account?

7 A. Yes.

8 Q. If it were trucking services, it went to
9 JLE?

10 A. Yes.

11 Q. And did JLE -- where did JLE -- where does
12 JLE bank?

13 A. Tennessee at Macon Bank.

14 Q. Macon Bank in Tennessee?

15 A. (Nods head affirmatively.)

16 (Reference to Exhibit Number 32.)

17 BY MR. MICHAEL JOHNSON:

18 Q. If you'll turn to Exhibit 32. And I'll
19 tell you that this is just a -- a smorgasbord of
20 checks going back to 2018 to JLE Trucking.

21 That first page, it looks like Kinsey
22 signed the check?

23 A. Yes.

24 Q. So did she on occasion sign checks as well
25 for the company?

1 A. Yes.

2 Q. All right. And then you'll notice as you
3 kind of skim through there, you know, the amounts
4 are fairly small -- 4,000, 5,000, 10,000, 8,000 --
5 until you get to, like, 2022. Or -- yeah, 2022.
6 Like, for example, on October 31, '22, there's a
7 check for 41,284.25.

8 A. What page is this?

9 Q. These aren't Bates labeled. 3891 is the
10 check number. They should be in date order, so
11 it's probably before that. It's Check 3891. There
12 you go. Signed by you, right?

13 A. Yes.

14 Q. So what information would you have when you
15 cut a check, for example, to JLE, your husband's
16 company? Did you have, like, a trucking record or
17 a shipping record or anything like that that you
18 used to fill out the number on the checks, or was
19 this just, Dad told me to send a check for that
20 amount to JLE?

21 A. There were -- we had JLE Trucking invoices.

22 Q. Okay.

23 A. Jed would invoice. I would have an
24 invoice. I would have my calendar that I would use
25 for my schedule. I would double-check my calendar

1 with his bill, and then the check would go out.

2 Q. Okay. So you would have some -- you would
3 make some attempt to verify, yeah, this appears to
4 square with my records, and so --

5 A. Yes.

6 Q. -- I'll write the check out.

7 On JLE payments, did you have to check with
8 your dad, or did he kind of put you in charge of
9 that?

10 A. No, I would still have to check with him,
11 if it was okay to send it.

12 Q. One thing I noticed, Meagan, in going
13 through the checks is, as I indicated, you know,
14 they start out fairly small -- 6,000, 8,000,
15 10,000 -- and then as we get later in time, they
16 jump up quite a bit --

17 A. Uh-huh.

18 Q. -- in amount.

19 A. Yes.

20 Q. What's the explanation for that?

21 A. Beginning -- like 2018, we used multiple,
22 multiple different trucking companies. And Dad
23 would be the one to call and be like, "Hey, I need
24 three trucks here tomorrow." Or he would have to
25 call -- I mean, there was 10 or 12 different people

1 he would call. And then slowly he would call Jed
2 more. He would call Jed more. Jed was able to get
3 more trucks. So finally it just got to where Jed
4 got all of the trucking.

5 Q. Okay. So that's why -- so it just
6 consolidated who the shipper was basically?

7 A. Yes.

8 (Reference to Exhibit Number 33.)

9 BY MR. MICHAEL JOHNSON:

10 Q. All right. Exhibit 33 is a wire record.
11 Now, are you a signer on the JLE account?

12 A. Yes.

13 Q. So you have access to it.

14 If you'll turn to page 2. And I'm just
15 curious. I don't know which account this is
16 talking --

17 But do you see down there it says, "DDA
18 Account Number," gives the identifier, "JLE
19 Trucking, Inc." And it says, "Closed due to fraud.
20 Instructed to deposit into" another account number,
21 "Wanda."

22 Do you see that?

23 A. Yes.

24 Q. Do you know what -- was there a JLE account
25 that was closed due to fraud, or is this talking

1 about a McClain account?

2 A. It was a JLE account. Someone from a truck
3 washout stole one of his checks, created their own
4 checks with his checks, and was writing checks out
5 of that account.

6 Q. All right.

7 A. So it was a JLE account that was closed.

8 Q. Okay. So then the -- you had to establish
9 a new account for JLE?

10 A. Yes.

11 Q. Okay.

12 MR. MICHAEL JOHNSON: You guys about ready
13 for lunch? I'll ask about one more exhibit and
14 take a break for lunch. Does that sound good?

15 THE WITNESS: Sure.

16 (Reference to Exhibit Number 34.)

17 BY MR. MICHAEL JOHNSON:

18 Q. Exhibit 34. Again, I know you haven't seen
19 this. This is a -- this is a listing of payments
20 according to our accountant, Steve Dawson, that
21 would have gone to either Jed or to JLE. The total
22 is \$8,685,147.90. And if I understand your --
23 Well, let me ask you this this way.

24 If money was going to either Jed personally
25 or to JLE, what would be the reason for that?

1 MS. BIRD: Objection to the extent you know
2 since you're neither Jed nor JLE.

3 A. I'm not sure I understood your question to
4 begin with.

5 Q. So we've got over \$8 million in payments
6 going to Jed or JLE. Let me ask it this way.

7 Other than providing trucking services,
8 would there be any other reason for money to go to
9 Jed or JLE other than this is for trucking
10 services?

11 MS. BIRD: Same objection to the extent you
12 know since you're neither JLE or Jed Trucking -- or
13 Jed Goad.

14 BY MR. MICHAEL JOHNSON:

15 Q. Are you able to answer the question?

16 A. I'm unsure how to answer the question, so
17 no.

18 Q. It looks like most of the payments are to
19 JLE Trucking, but I note that there are a few
20 payments shown on the spreadsheet to Jed
21 personally.

22 Do you know why Jed personally would
23 receive money since you were the person who was
24 signing the checks on behalf of the companies?

25 A. On his invoices there was an amount, the

1 total amount. There would be a discount on there,
2 which would be his broker fee. His broker fee got
3 written to him personally.

4 Q. So let's say you had a \$100,000 invoice
5 from JLE. So you're saying that that would be
6 broken down. X dollars go to JLE, Y dollars go to
7 Jed personally?

8 A. Each load that was not a JLE truck was
9 charged \$50 for a broker fee.

10 Q. Okay.

11 A. So that's how that worked.

12 Q. So if JLE hauled it, it's just a JLE
13 invoice. If Joe's Trucking hauled it and Jed
14 brokered it, it's 50 bucks for this transaction
15 that this other trucker hauled?

16 A. Yes.

17 Q. For each load?

18 A. Yes.

19 Q. Okay. Do you know how much typically JLE
20 was charging to haul cattle?

21 A. It depended on the fuel price.

22 Q. And distance, right, how far you're
23 trucking them?

24 A. If it was a short amount, then it would be
25 a flat rate. But, no, most of our stuff would be

1 by miles.

2 Q. On the loads that JLE or Jed brokered, how
3 did it work? So McClain paid JLE, and then JLE was
4 responsible, then, to pay the actual shipper?

5 A. Yes.

6 Q. So if it was, again, using my hypothetical,
7 \$100,000, you'd write JLE that check, and then
8 they'd be responsible for paying the actual person
9 who hauled the cattle --

10 A. That's correct.

11 Q. -- out of their money?

12 MR. MICHAEL JOHNSON: Should we break for
13 lunch? Good time to break?

14 MR. LOVELL: Now would be fine.

15 MR. MICHAEL JOHNSON: Are you guys okay
16 with that?

17 MS. BIRD: Yeah, that's fine.

18 (A lunch recess was taken.)

19 BY MR. MICHAEL JOHNSON:

20 Q. We're back on the record after lunch.

21 Meagan, let's go back and just ask you some
22 follow-up questions from before lunch.

23 We talked about the 400,000-plus, the
24 cattle you invested in. Do you remember looking at
25 that wire transfer record?

1 A. Yes.

2 Q. Was it your idea to start investing, or did
3 Brian approach you about that?

4 A. He approached me.

5 Q. Did you have that kind of money sitting
6 around, or did you have to go borrow it?

7 A. No. I don't remember how our agreement
8 started. He wanted to help me grow. After my
9 divorce, I believe, is when it started. It was
10 maybe a little bit beforehand when things started
11 getting rough. But, no, I did not have the money
12 on hand.

13 Q. And just so we have a time frame, when did
14 you get divorced?

15 A. 2020.

16 Q. 2020. What was your name before it was
17 Goad? Was it Powell?

18 A. Yes.

19 Q. And we talked about an Angela Powell. Any
20 relation to Angela Powell?

21 A. No, sir.

22 Q. So did you borrow money to invest, or did
23 Brian lend that money to you, or did you have it
24 laying around?

25 A. I did not have it laying around. It was --

1 I don't remember what the terms were. I don't
2 remember how it all started. But it was -- he came
3 to me and said that he wanted to help me and that
4 we would start doing this so --

5 Q. Did you ever see the actual cattle you were
6 investing in?

7 A. I didn't necessarily go look and see which
8 ones were mine, no.

9 Q. If you would have said, "Hey, Dad, show me
10 the cattle I just invested in," could he have shown
11 them to you?

12 A. I feel like he would have, yes.

13 Q. Were they branded -- do you know? --

14 A. No.

15 Q. -- with your name on them?

16 A. No.

17 Q. So they were just part of the -- so they
18 were just part of the McClain herd?

19 A. As far as I'm aware.

20 Q. All right. And as far as you're aware,
21 would they be considered McClain cattle that you
22 just had an investment interest in, but they were
23 McClain's cattle?

24 A. I don't know how that would work.

25 Q. What was the typical turnaround when you

1 invested with your dad? Like, you know, you'd put
2 money in, and how long did it take to get the money
3 out?

4 A. Most days it was 90 to 120 days.

5 Q. And do you recall how many times you
6 invested -- entered into investment transactions
7 with your dad?

8 A. Not off the top of my head.

9 Q. Certainly more than once, right?

10 A. Yes.

11 Q. Do you think it was more than ten times?

12 A. I don't know.

13 (Reference to Exhibit Number 36.)

14 BY MR. MICHAEL JOHNSON:

15 Q. If you'll turn to Exhibit 36, do you
16 recognize this as a borrowing base report for the
17 Rabo loan?

18 A. Yes.

19 Q. Perioding ending 10/31/22, right?

20 A. Yes.

21 Q. And I think you testified earlier that you
22 would have input all the data in this borrowing
23 base report, correct?

24 A. Yes.

25 Q. When you filled these out, were you and

1 Brian sitting together, or did you -- were you
2 exchanging texts or phone calls? How did that
3 process work?

4 A. It could be any of the above.

5 Q. So sometimes he might have been in the
6 office telling you the numbers?

7 A. Yes.

8 Q. Sometimes you might be working on it.
9 "Hey, Dad, tell me how many cattle are in McClain
10 Farms" --

11 A. Yes.

12 Q. -- and you put the number down?

13 Why did -- why did you and your dad sign
14 this borrowing base report?

15 A. He was not available at the time to sign
16 this, to be physically there to sign it, so he told
17 me to sign his name and put by me.

18 Q. Okay. So that's your signature of his
19 name, but then --

20 A. Yes.

21 Q. -- you noted on there you're the one who
22 signed it for him?

23 A. Yes.

24 Q. Did he typically review the completed
25 borrowing base reports before they were submitted?

1 A. Every time.

2 Q. So you would create them based on
3 information that he had provided, correct?

4 A. Yes.

5 Q. Would you print it out for him? Would you
6 email it to him? What came next after that?

7 A. Sometimes I would print it. Sometimes he
8 would just come in my office and look on the
9 computer screen.

10 Q. Okay. But every time he looked at it --
11 before it was sent to Rabo, he would look at it and
12 give it the thumbs up?

13 A. Yes.

14 Q. So this -- this cover page shows that there
15 were 86,853 total head in the herd as of 10/31 and
16 over 7.925 million in accounts receivable.

17 Do you see that?

18 A. Yeah, I see the head where it -- yes.

19 Q. Did you ever make any effort to verify the
20 information that your dad was providing to you for
21 the reports?

22 A. He -- no. He would just give it to me, and
23 I would -- most of the time, he would give it off
24 of the -- one of the other pages, and then he would
25 handwrite on one of these other pages what I needed

1 to change and...

2 Q. And then you would change it?

3 A. Then I would change it.

4 Q. Do you believe that there was, in fact,
5 around 86,000 total head of cattle owned by McClain
6 as of the end of October 2022?

7 A. I didn't know because I never -- I didn't
8 know what was at Hereford or what was at 7M.

9 Q. Did you believe that there was 12,459 head
10 in Kentucky?

11 A. I was under the impression that it was
12 cattle that McClain Farms owned regardless if they
13 were in Kentucky, 7M, or Hereford. It didn't
14 matter their location. It was the cattle that that
15 particular entity owned.

16 Q. So your -- your understanding is that there
17 were McClain Farms cattle in both Texas and
18 Kentucky?

19 A. That's what I thought.

20 Q. And is it the same answer for 7M and
21 McClain Feedyard, that there'd be cattle in both
22 states?

23 A. I would think so. I never knew where the
24 cattle exactly were.

25 Q. But -- and maybe you don't know this. But

1 besides the -- you know, the property that were
2 owned by the companies, were there other places,
3 like pastures, where McClain cattle were typically
4 located?

5 A. No. There was one feedyard, or two, I
6 guess, that we had sent cattle to that he was
7 partners on with those feedyards.

8 Q. And who was that feedyard?

9 A. Cactus Feeders and Keeling Cattle Feeders.

10 Q. And they were, just like McClain Farms,
11 feeding some third-party cattle. That's what they
12 were doing for McClain Farms. They were feeding
13 McClain entity cattle?

14 A. Yes, sir.

15 Q. Do you know the scope of how many would
16 typically be in either Cactus or Keeling at any one
17 time?

18 A. No, sir, I don't.

19 Q. If you turn back into this exhibit --
20 again, we should have probably Bates-labeled
21 these -- you'll get to the accounts receivable
22 section, which is towards the back, I believe.

23 Oh, before that, let me ask you. On the --
24 on the -- so what we have here, as you were
25 pointing out, is we've got the summary sheet with

1 the different entities totaling up 80-whatever
2 thousand, and then we've got separate sheets for
3 each, right?

4 A. Yes.

5 Q. So like on the McClain Farm sheet, when you
6 turn the page, it's got lot and pen numbers among
7 other things. Do you want me --

8 Is it easier if I just show you what I'm
9 at?

10 A. Are you looking at Farms or which one are
11 you looking at? On the McClain Farms one?

12 MS. BIRD: McClain Farms?

13 MR. MICHAEL JOHNSON: Yeah, the McClain
14 Farms.

15 MR. LEBAS: For our record, there's a
16 number of sheets here. Would it be possible to put
17 a number on -- a physical number on them so we know
18 what we're looking at? Otherwise, please describe
19 it enough so we can find it later.

20 MR. MICHAEL JOHNSON: So I'm in Exhibit 36.
21 And as you thumb through there, you see the
22 borrowing base certificate only for McClain Farms,
23 Inc. It's probably half to two-thirds of the way.

24 MR. LEBAS: What's the title of the
25 document?

1 MR. MICHAEL JOHNSON: Rabo AgriFinance
2 Borrowing Base Certificate. Looks like that.

3 MR. LEBAS: Give us a date, please, just to
4 make sure.

5 MR. MICHAEL JOHNSON: It's dated
6 10/31/2022.

7 MR. LEBAS: Thank you.

8 BY MR. MICHAEL JOHNSON:

9 Q. All right. So this shows that there were
10 12,459 head, right, owned by McClain Farms?

11 A. That's what it says, yes.

12 Q. And then when you turn, there's schedules
13 that purportedly support those cattle numbers,
14 correct?

15 A. Yes.

16 Q. And I'm looking at -- it's broken down,
17 among other things, by lot and pen numbers. Do you
18 see that?

19 A. Yes.

20 Q. What is -- I see MURRAY, TECK, POND,
21 FARRIS, and TRENT. What is that?

22 A. Those are different pastures.

23 Q. Were they pastures owned by McClain, or
24 were they leased?

25 A. Three of them -- well, they were his

1 grandmother's, but they were on the farm property
2 that he used. And then Farris and Trent were not.

3 Q. And is Farris and -- are they names of the
4 owners?

5 A. Yes.

6 Q. So what's Farris's full name?

7 A. Danny Farris.

8 Q. And he's from Kentucky somewhere?

9 A. Yes.

10 Q. And then how about Trent?

11 A. Trent Harrison.

12 Q. Okay. So MURRAY, TECK, and POND were on
13 grandma's property?

14 A. Yes.

15 Q. If you turn about -- okay -- maybe seven or
16 eight pages, you'll see up at the top it says,
17 "Trade Accounts Receivable." Do you see that?

18 A. Yes.

19 Q. And it's got "Rapp Ranch, Curtis Jones
20 Farm, Don Jones Farm, Don Jones Farm," correct?

21 A. Yes.

22 Q. Are these -- do you recognize those names?

23 A. Yes.

24 Q. Would those be investor folks? Are
25 those -- are those folks -- are those folks who owe

1 the company money, or are those investors?

2 MR. LEBAS: Object to form, that is, the
3 term "investor" or "investor folks" is not defined,
4 and it's a compound question.

5 A. They were people that were billed cattle
6 that were -- those cat- -- the money for those
7 invoices were still owed.

8 Q. Okay. So these would be people who were
9 placing money with McClain so McClain could go by
10 cattle from a third party?

11 MR. LEBAS: Object to form.

12 Q. Correct?

13 A. Yes.

14 MS. BIRD: Testimony is not consistent with
15 that characterization.

16 BY MR. MICHAEL JOHNSON:

17 Q. And they hadn't actually paid the bill --
18 paid the invoice yet?

19 A. That's correct.

20 Q. Okay. Did you do anything to verify any of
21 the accounts receivable numbers on any of these
22 borrowing base reports?

23 A. He would give me invoices that I would copy
24 the amount from the invoice onto this accounts
25 receivable.

1 Q. So, for example, you would have had an
2 invoice from McClain Farms to Rapp Ranch for
3 62,734.24?

4 A. Yes.

5 Q. And how did you know that Rapp Ranch hadn't
6 yet paid?

7 A. He told me they hadn't.

8 Q. So he would give you the -- these are the
9 invoices for either McClain Feedyard, 7M, McClain
10 Farms?

11 A. Yes.

12 Q. And list them on that document?

13 A. Yes.

14 (Reference to Exhibit Number 37.)

15 BY MR. MICHAEL JOHNSON:

16 Q. Okay. Turn to Exhibit 37. This is the
17 Rabo borrowing base report for the period ended
18 November 23th of 2022, correct?

19 A. Yes.

20 Q. And same question. Is it true that on
21 every borrowing base report that was submitted to
22 Rabo, you prepared the reports and submitted the
23 reports to Rabo based upon information that your
24 father provided to you?

25 A. Yes. Everything I put on these reports

1 came directly from him.

2 Q. And you're the one who was tasked with
3 completing reports and sending them on after he
4 approved them?

5 A. Yes.

6 Q. Okay. I note you signed this one too. Is
7 there a reason why you signed this borrowing base
8 report?

9 A. He very well could have been at a doctor's
10 appointment because this was after he got
11 hurt so -- or he was at home and just told me to do
12 it so I didn't have to go over there because I'd
13 been, probably, over there ten times prior that
14 day.

15 Q. How far from the office did he live?

16 A. Eight minutes tops. Five.

17 Q. Okay. And if I asked you the same
18 questions about, "Did you verify or do anything to
19 assure yourself that the head count and the
20 receivable count and the inventory count in this
21 borrowing base is accurate," would it be the same
22 answer, that "I just relied upon my dad"?

23 A. Yes.

24 (Reference to Exhibit Number 38.)

25 ///

1 BY MR. MICHAEL JOHNSON:

2 Q. Okay. The next exhibit is Exhibit 38.

3 This is the borrowing base report submitted to Rabo
4 for the period ending 12/31/2022, correct?

5 A. Yes.

6 Q. And these were typically submitted three or
7 four weeks after the period you're reporting on,
8 right? So like the 12/31/22 report would have been
9 submitted sometime in January?

10 A. Yes, sir.

11 Q. Was that typically, what, two, three weeks?

12 A. I'm not aware fully, but it had to be done
13 by the 15th.

14 Q. Okay. So --

15 A. I think that's correct.

16 Q. So more like two weeks?

17 A. Yes.

18 Q. So this particular borrowing base report
19 would have been submitted sometime in January,
20 we're assuming. I note you signed this one too.

21 Do you have a recollection of why you
22 signed this one?

23 A. It'd have been the same reason as the
24 others.

25 Q. He had something going on or --

1 A. Yeah.

2 Q. How would he have reviewed these before
3 they were submitted? Did he have access to them on
4 his home computer?

5 A. I would print the pages off and either take
6 them to him or take pictures and send to him if he
7 wasn't in the office.

8 Q. And your same answer on verification of the
9 data? You just relied upon your dad?

10 A. That's correct.

11 Q. And then Exhibit 40, a little different
12 format, but this is the -- the borrowing base
13 report for the period ending 2/28/23, so that would
14 have been submitted sometime in March, right?

15 MS. BIRD: Mine says 1/31.

16 A. Yeah, mine says 1/31/23.

17 Q. Are we on 40?

18 A. No, that was 39.

19 (Reference to Exhibit Number 39.)

20 BY MR. MICHAEL JOHNSON:

21 Q. Did I ask you about -- let me ask you about
22 39 first. Yeah, let's go to 39.

23 This one you didn't sign, but 39 is dated
24 1/31/2023, right?

25 A. Yes.

1 Q. And it shows 80,342 head of cattle?

2 A. I believe that's right.

3 Q. And about 12.227 million in receivables,
4 right?

5 A. Looks correct.

6 Q. Okay. And you didn't sign this, but you
7 would have been the one who sent this to Rabo after
8 your dad signed off, right?

9 A. Yes.

10 (Reference to Exhibit Number 40.)

11 BY MR. MICHAEL JOHNSON:

12 Q. Now, if you'll turn to Exhibit 40, the
13 first page is some email exchanges, right?

14 A. Yes.

15 Q. Looks like you emailed this borrowing base
16 report to Chip Lawson --

17 You know who Chip Lawson is, right?

18 A. Yes.

19 Q. -- on March 16th?

20 A. Yes.

21 Q. And is Chip the one that you always sent
22 the borrowing base reports to?

23 A. Yes. Chip and Jason Dunn.

24 Q. Did you ever talk to Chip or Jason Dunn?

25 A. Only when Dad would ask me to send them

1 text messages relevant to banking information.

2 Q. Give me like an example.

3 A. If a wire didn't come in the day prior that
4 we were expecting and the account did not go to
5 zero that day and it was overdrawn, then --

6 Q. So your dad would --

7 A. -- I would say, Hey, there's a wire that's
8 coming in from so-and-so. It's for this much
9 amount of money.

10 Q. All right. So let me give you a
11 hypothetical. So your account's overdrawn, and you
12 might need a check cleared. So you would call Chip
13 or text him and say, "Hey, can you clear this check
14 even though it's going to overdraw us because we've
15 got some money coming in tomorrow"?

16 A. No, I did not say that. I would say, "The
17 accounts are overdrawn. This is coming in."

18 Q. Okay. And that was the -- kind of the
19 whole -- the whole nature of your discussions with
20 Chip or things like that?

21 A. Yes.

22 Q. This borrowing base report, if you look at
23 page 2, let's compare it to the prior borrowing
24 base report. So we're looking at -- 39 is the
25 borrowing base report for the period ending

1 January 31 of '23. And 40 is the borrowing base
2 report for the period ending February 20th of '23.
3 Do you see that?

4 A. Yes.

5 Q. And it's reporting that cattle has -- the
6 number of head of cattle has reduced from 80,342
7 from 37,992. Do you see that?

8 A. Yes.

9 Q. And in this reporting, receivables went
10 from 12.227 million to 33.705 million. Do you see
11 that?

12 A. Yes.

13 Q. Do you know what happened in January to
14 cause so many cattle to be liquidated?

15 A. I don't.

16 Q. You didn't have any discussion about that
17 with your dad?

18 A. No, sir.

19 Q. You didn't say, "Hey, Dad, we've been
20 reporting 80,000-plus head of cattle for the last
21 six months, and now we've got less than half of
22 that"?

23 A. I never looked at totals. I filled in what
24 I was to fill in and gave him the information. I
25 never studied these borrowing bases. I never went

1 through them and checked on anything or looked
2 at -- I made sure that the information transferred
3 over from the ending spreadsheets to the beginning
4 page, but that's all I did. I never went through
5 and really paid attention to the numbers.

6 Q. At the end of January of 2023, did the
7 McClain entities really own over 80,000 head of
8 cattle, or do you just not know one way or the
9 other?

10 A. I don't know.

11 Q. You have no idea?

12 A. No.

13 Q. Sitting here today, you couldn't tell me,
14 within 5,000 or 10,000 head, how much -- or how
15 many head of cattle the McClain entities actually
16 owned?

17 A. No.

18 Q. Did you ever have any discussion with your
19 dad about, "Geez, Dad, there's a lot of money going
20 in and out of our accounts with these other
21 people."

22 Did you ever discuss those issues with your
23 dad?

24 A. There was never a discussion. If I raised
25 any questions, he would say, "It's for me to worry

1 about. Don't worry about it."

2 Q. So "none of your business," basically --

3 A. Yeah.

4 Q. -- was the response?

5 A. Yeah.

6 MR. MICHAEL JOHNSON: At this time I'll

7 pass.

8 MR. LOVELL: Okay.

9 CROSS-EXAMINATION

10 BY MR. LOVELL:

11 Q. Ms. Goad, my name is John Lovell, and I
12 represent First Bank & Trust, who is the bank that
13 was financing 2B Farms.

14 A. Okay.

15 Q. Okay. Now, it's my understanding from your
16 testimony, if I can find -- yeah -- that you would
17 be the person, the primary person, that would
18 finalize the invoices when cattle were sold to 2B
19 Farms, right?

20 A. Yes.

21 Q. And that you would get the information from
22 your dad, and then that would be -- you would put
23 it together in an invoice, how many head, weight,
24 that sort of thing, right?

25 A. Yes.

1 Q. And then you would communicate that to
2 Bo Robinson, right?

3 A. That's correct.

4 Q. And then Bo Robinson would be responsible
5 for informing his bank about the size of the check
6 that's needed, right?

7 A. That's correct.

8 Q. You didn't communicate with the bank?

9 A. No, sir.

10 Q. Okay. So you'd give Bo Robinson an
11 invoice, and that would be then up to Bo to have
12 one of the checks that you had previously sent to
13 the bank filled out, right?

14 A. Yes.

15 Q. And then to your knowledge, the bank always
16 filled out the numbers per the instructions you had
17 on the invoice as far as the amounts and dates?

18 A. Yes.

19 Q. And then you would also send information to
20 Bo about how much was due to McClain Farms, to be
21 wired to McClain Farms, to pay for the next lot of
22 cattle, right?

23 A. Yes, sir.

24 Q. So were you responsible for actually
25 sending those pre-signed checks on to the bank?

1 A. Me or my sister one would do it.

2 Q. You or who?

3 A. Me or Kinsey one would.

4 Q. Okay. And would Bo be the person that
5 would contact you and say "We need some more
6 checks" --

7 A. Yes.

8 Q. -- "sent"?

9 Okay. Do you know who Shawn Ragland is?

10 A. The name sounds familiar, but I don't know
11 him, no.

12 Q. Okay. And do you know who Rebecca
13 Fernandez?

14 A. No, sir.

15 Q. So would it be correct that it would be up
16 to Bo to finalize the transactions at his bank,
17 both getting the checks to McClain Farms filled out
18 appropriately and then also getting the wire
19 transfer amounts to McClain Farms --

20 A. Yes, sir.

21 Q. -- filled out?

22 A. Yes, sir.

23 (Reference to Exhibit Number 42.)

24 BY MR. LOVELL:

25 Q. Let me just show you. As an example, if

1 you could turn to Exhibit 42. Now, the checks I'm
2 having you look at are made out to MAP Farms [sic]
3 not to 2B Farms, but just for illustration so we're
4 on the same page. So looking at -- these pages
5 aren't numbered. Can you turn over to Check Number
6 7525?

7 A. Yes, sir.

8 Q. Do you see that? Okay.

9 So the checks that were sent either by you
10 or Kinsey would have your signature, Meagan Goad,
11 on the check, correct?

12 A. Yes, sir.

13 Q. But that's actually a stamped signature?

14 A. That is correct.

15 Q. Okay. So that's not -- so you didn't make
16 that with a pen. You or somebody just used a
17 signature stamp?

18 A. Yes, sir.

19 Q. And so you or your sister would have
20 stamped three, four, five, ten checks at a time and
21 Fedex'd or UPS'd them to the bank?

22 A. Yes, sir.

23 Q. But otherwise, all the -- the payee and
24 amounts and dates would be blank, right?

25 A. Correct.

1 Q. And is it your testimony, then, that all
2 the checks that were filled out by the bank were
3 filled out in the amounts that you had given to
4 Bo Robinson? Right?

5 A. To my knowledge, yes.

6 Q. Okay. Both the dollar numerically and then
7 the amount written in words?

8 A. I did not pull up each individual check and
9 look at it, no, but to my knowledge, that --

10 Q. Yeah, as far as you know.

11 A. Yes.

12 Q. In other words, if the number had been off
13 significantly, you would have been alerted to that
14 at some point, right?

15 A. I feel like Dad or -- more than likely, Dad
16 would have been alerted, yes.

17 Q. Yeah. If somebody was off a hundred
18 thousand dollars, somebody on your end would have
19 noticed?

20 A. Yes.

21 Q. And as far as you recall, that never
22 happened?

23 A. That's correct.

24 Q. So all the checks that were filled out, to
25 your knowledge, were filled out according to the

1 instructions that you transmitted to Bo Robinson,
2 right?

3 A. Yes.

4 Q. And to the best of your memory, you
5 transmitted all that information on completing the
6 checks to Bo, not to the bank, correct?

7 A. That's correct.

8 MR. LEBAS: Pass the witness.

9 CROSS-EXAMINATION

10 BY MR. LEBAS:

11 Q. On the subject of that -- let me introduce
12 myself. I introduced myself this morning. My name
13 is David LeBas. I represent Thorlakson, Diamond T
14 Feeders and AgTexas, which is their lender.

15 Please let me know if you can't hear me
16 because we're across the table.

17 A. You're good. I can hear you.

18 Q. Okay, good. Thank you. On the questions
19 just addressed by Mr. Lovell -- and I'm going to
20 work through some of the questions he asked you,
21 some Mr. Johnson asked you, and then I'll have some
22 others as well, so it might be disjointed.

23 On this question of communications with
24 Mr. Robinson and the bank, did you expect
25 Mr. Robinson to convey the information that you

1 were providing to him to his lender?

2 A. I did not necessarily know what -- who he
3 told the information to. I just know that I was
4 supposed to send it to Bo.

5 Q. And after you sent the information to Bo,
6 then did you receive checks from the bank or wire
7 transfers from his bank?

8 A. Yes, sir.

9 Q. Did they come on a daily basis in some
10 instances?

11 A. Yes, sir.

12 Q. And in some instances, particularly in the
13 time frame of February and March 2023, were there
14 millions of dollars being exchanged between McClain
15 entities and Mr. Robinson on a daily basis?

16 A. I can't tell you exactly without looking at
17 any type of documentation, but I know there was
18 quite a bit of money being transferred, yes.

19 Q. Did you talk to either Mr. Robinson or your
20 dad about the reason for the very large exchanges
21 of funds between those two entities?

22 A. No.

23 Q. Did it cross your mind that that was a
24 reasonable exchange of funds for the number of
25 cattle that were involved?

1 A. At this point, I had been getting shut down
2 so many times on asking questions, it was pointless
3 because I knew what the answer was going to be.
4 "It's none of your business. I'll deal with it.
5 Don't worry about it."

6 Q. Who was shutting you down?

7 A. Brian.

8 Q. Your dad?

9 A. Yes.

10 Q. When did the shutdown of communication
11 between you and your dad begin?

12 A. It was always like that. He never would
13 elaborate on anything, personal or business.

14 Q. When did you start asking him questions
15 that he refused to answer?

16 A. When I was ten.

17 Q. Did you have any communications, either
18 verbal or -- I mean, like the telephone, for
19 example, email or text with the -- with
20 Mr. Robinson's banker?

21 A. No, sir.

22 Q. Did you have any direct communications,
23 verbal, email, or otherwise, with any of the
24 Thorlakson family?

25 A. Text, yes.

1 Q. And have you produced those documents?

2 A. Yes.

3 Q. Do you recall any telephone conversations
4 with any of the members of that family?

5 A. Possibly, but not off the top of my head,
6 no.

7 Q. I told you I was going to skip around a
8 little bit, so this is where the skip-around part
9 starts.

10 Do you recall what the head -- Well, first,
11 before I do that, you indicated you work now for a
12 feedyard?

13 A. Yes, sir.

14 Q. What's the name of that feedyard?

15 A. Marshall County Livestock.

16 Q. Was it Marshall County?

17 A. Yes, sir.

18 Q. Where is Marshall County feedyard?

19 A. It's in Benton, Kentucky.

20 Q. Is it a finish yard or grow yard?

21 A. A grow yard.

22 Q. What is its capacity?

23 A. I don't know. I'm a separate -- I don't
24 work at Marshall County Livestock. I work at a
25 branch off of Marshall County Livestock but for

1 them.

2 Q. So you don't work at the animal husbandry
3 facility itself?

4 A. No.

5 Q. And you don't know how many cattle are on
6 feed at any given time at your employer's place of
7 business?

8 A. At theirs, no, sir.

9 Q. Does Marshall County take in cattle owned
10 by others, or does it own the cattle that it's
11 feeding or both?

12 A. I don't know. I'm not privy to that
13 information.

14 Q. What do you do for this feedyard?

15 A. I manage the cattle. I take care of the
16 cattle, doctor them, move them. When they get big
17 enough, we ship them. There's no -- I input
18 medicine that I give to the cattle in their
19 computer program.

20 Q. Are the cattle in pens?

21 A. Yes, sir.

22 Q. Is it as many as 5,000 head?

23 A. Their main location, it's a good
24 possibility.

25 Q. Did you ever go to the Texas facilities

1 that were owned by McClain Farms or 7M?

2 A. I briefly pulled in the parking lot of 7M
3 one -- when I went down there with Jed, I rode with
4 him on one of his trips that he took down there. I
5 have not ever walked through that feedyard, not one
6 time.

7 And the last time I was at Hereford was
8 around the same time, and it was so I could see my
9 granddad that worked there. But the last time that
10 I actually did anything in the McClain feed- -- or
11 the feedyard in Hereford would have been probably
12 2010 or '12.

13 Q. How many cattle was the 7M facility capable
14 of providing care for?

15 A. I believe it was permitted for 80,000 head.

16 Q. Do you know how many it could actually care
17 for --

18 A. No, sir.

19 Q. -- in a given time without regard to the
20 permit?

21 A. No, sir.

22 Q. Where did you get the understanding it was
23 permitted for 80,000 head?

24 A. That's what I was told whenever he was
25 talking about purchasing it.

1 Q. Told by whom?

2 A. Brian.

3 Q. Did you see any paperwork that would
4 address that question of capacity either one way or
5 the other?

6 A. No, sir.

7 Q. And what about the McClain Farms yard?
8 What was its capacity?

9 A. I really don't know. 8 to 10,000 possibly.

10 Q. When you went on your trip to Texas -- I
11 missed what you said -- which facility did you
12 visit?

13 A. 7M.

14 Q. And when was that?

15 A. It would have been 2021.

16 Q. And you said your grandfather worked there?

17 A. Yes.

18 Q. And is he Brian's father or --

19 A. Yes.

20 Q. What is his name, please?

21 A. Philip McClain.

22 Q. Where does he live now?

23 A. Somewhere in Oklahoma.

24 Q. You don't know where?

25 A. No, sir.

1 Q. When was the last time you talked to him?

2 A. Right after my died dad.

3 Q. Do you know how to spell his name? There's
4 different ways to spell Philip?

5 A. P-H-I-L-I-P.

6 Q. Was Philip married to your grandmother?

7 A. No.

8 Q. Was he married at the time that you saw him
9 last?

10 A. No.

11 Q. What is the name of your grandmother?

12 A. She's passed away.

13 Q. And what was her name?

14 A. Joetta McClain.

15 Q. Where did she live?

16 A. Benton.

17 Q. I don't mean to pry with personal
18 questions. Thank you for answering.

19 This is -- would you turn to Exhibit 34,
20 please. This is the list -- it's upside down. I
21 want to make sure I'm looking at the right exhibit.

22 This is an accumulation that, I believe,
23 Mr. Johnson said had been generated by someone for
24 his office concerning payments to JLE Trucking.

25 Do you have the same thing in front of you?

1 A. Yes, sir.

2 Q. What is -- what is the JLE in JLE Trucking
3 stand for?

4 A. Jed, Leslie, Emma.

5 Q. And what does that refer to?

6 A. Jed's name, his ex-wife's name, and his
7 daughter's name.

8 Q. I take it he started the company before you
9 and he got married?

10 A. Yes, sir.

11 MS. BIRD: Hope so.

12 MR. LOVELL: Let's hope, yeah.

13 THE WITNESS: That would be very
14 uncomfortable if not.

15 BY MR. LEBAS:

16 Q. Yeah. And just trying to read this --
17 we'll ask him tomorrow. So if you refer us to him,
18 then that's fine. But the question I have is
19 really just how to understand the trucking and
20 brokerage arrangement that you discussed a few
21 minutes ago.

22 Do you know how many miles it was from
23 Benton to the Texas panhandle?

24 A. It depended on where it was going, but it
25 was approximately 900.

1 Q. And generally were the trips between
2 Kentucky and Texas as opposed to, say, Florida and
3 Texas or somewhere else?

4 A. They were really everywhere. There was
5 not -- I don't feel like there was one that was
6 more -- there was not more to one place than there
7 was the other, I don't feel like.

8 Q. So there were some trips between Florida
9 and Kentucky?

10 A. Yes.

11 Q. Is that correct?

12 A. They would go from Florida to Kentucky, but
13 there was more that went from Florida to Texas than
14 there would be from Florida to Kentucky.

15 Q. So JLE would haul from the Florida source
16 to the Texas grow yard, for example?

17 A. Yes, sir.

18 Q. Are those truck -- you called it, I think,
19 the trip -- what did you call it? The truck
20 packet?

21 A. The trip pack?

22 Q. Pack. That's been produced to the trustee?

23 A. Yes, sir.

24 MR. LEBAS: We haven't seen it yet.

25 MR. MICHAEL JOHNSON: And I believe you

1 confirmed that you don't have any problem if the
2 trustee shares those with us, correct?

3 MS. BIRD: Correct.

4 BY MR. LEBAS:

5 Q. There was mention made of some gentlemen
6 that had life insurance policies on your dad's
7 life: Cory Priest, Robbie Russell, Eddie Stewart.

8 Have you talked to those gentlemen since
9 the time all this erupted --

10 A. No, sir.

11 Q. -- in early 2023?

12 A. No, sir.

13 Q. Do you know the amount of life insurance
14 that they held?

15 A. No, sir.

16 Q. Do you know who was paying the premiums on
17 the life insurance policies?

18 A. No, sir.

19 Q. I think you've told us this, but you
20 mentioned there was a Quickbooks account. The
21 Quickbooks file, the electronic file, where was
22 that kept?

23 A. It was on my desktop.

24 Q. So the data was on a computer that was in
25 your -- at the barn in your office?

1 A. Yes, sir.

2 Q. And were you the person who input the
3 information into the Quickbooks program?

4 A. The only information that I input in the
5 Quickbooks was when I would write checks or do
6 payroll.

7 Q. Was there other information in the
8 Quickbooks folder other than that?

9 A. As far as?

10 Q. Well, Quickbooks can do a lot of things.

11 A. We do not invoice or anything like that out
12 of Quickbooks. It was solely for check register
13 purposes.

14 Q. Has that Quickbooks file been provided to
15 either the trustee or to the bank or both?

16 A. I don't know who took it, but someone came
17 and took it so --

18 MR. MICHAEL JOHNSON: Yeah, the trustee has
19 it.

20 BY MR. LEBAS:

21 Q. When you say "they took it," you mean they
22 took the laptop or the computer?

23 A. They took everything out of the office.

24 Q. And that includes the computer on which the
25 Quickbooks file was located?

1 A. Yes, sir.

2 MR. LEBAS: Unfortunately, I don't have
3 copies of everything.

4 MR. LOVELL: Do you need to switch with me?

5 MR. LEBAS: No, if you don't mind, just
6 hand this down.

7 What is our next number, please?

8 MR. MICHAEL JOHNSON: The last exhibit in
9 my book is 45. Let's just run them consecutive
10 from 45.

11 MR. LEBAS: This will be 46.

12 (Exhibit Number 46 marked for
13 identification.)

14 (Off-the-record discussion.)

15 BY MR. LEBAS:

16 Q. Do you have Exhibit 46? There's a sticker
17 at the bottom.

18 MS. BIRD: Yes, it's 46.

19 Q. And for the record, I'll say it's got a
20 document control number on it of -- starting on
21 page -- at the bottom, Thorlakson_002030 and then
22 to 002036. The title of the document is
23 "Intercreditor Agreement."

24 Ms. Goad, have you seen this document
25 before?

1 A. No, sir.

2 Q. Would you turn to the document -- the
3 second-to-last page, Document Number 2035. Do you
4 see your father's signature?

5 A. Yes, sir.

6 Q. Were you aware that there was an agreement
7 between AgTexas Farm Credit Services and Rabo
8 AgriFinance and Brian McClain concerning cattle and
9 finances?

10 A. No, sir.

11 Q. Did your father ever mention the existence
12 of an agreement involving different lending
13 institutions with you?

14 A. No, sir.

15 Q. Do you feel confident in saying -- because
16 you didn't know about it, you didn't talk to
17 anybody about this, did you?

18 A. No.

19 Q. Nobody talked to you about it?

20 A. No, sir.

21 Q. And then I'll ask you, then, more generally
22 the same question about intercreditor agreements
23 with other financial institutions.

24 Were you aware of intercreditor agreements
25 between Rabo and McClain and any other lender or

1 financial institution?

2 A. No, sir.

3 Q. Did you ever hear anyone say anything about
4 that?

5 A. No, sir.

6 (Exhibit Number 47 marked for
7 identification.)

8 BY MR. LEBAS:

9 Q. We're looking at Exhibit 47. It's a letter
10 dated April 5, 2023, and it is a document subpoena
11 response RAF/180001.

12 Do you see that in the lower right-hand
13 corner?

14 A. Yes.

15 Q. And it's a letter addressed to Jamie
16 Rabbitin, senior vice president/director of
17 commercial servicing, Mechanics Bank, and signed by
18 Mr. Johnson.

19 Do you see that on the third page?

20 A. Yes.

21 Q. Have you seen this letter before?

22 A. No, sir.

23 Q. Were you aware that on April 5th, 2023,
24 Rabo AgriFinance, through its attorney, instructed
25 that accounts of Mechanics Bank -- let me rephrase

1 that.

2 Were you aware on April 5, 2023, Rabo
3 AgriFinance instructed Mechanics Bank to freeze
4 accounts of McClain and McClain Farms?

5 A. Was I aware on this date?

6 Q. Yes.

7 A. No, sir.

8 Q. When did you become aware of that event?

9 A. On the 6th, when I tried to log into the
10 bank account online.

11 Q. And that would have been April 6th, 2023?

12 A. Yes, sir.

13 Q. Do you know who the person is that received
14 this letter, I mean, who it's addressed to? Do you
15 know who that is, Jamie Rabitin?

16 A. I spoke with her some, but, no, I don't.
17 She did not -- I did not have a business
18 relationship with her.

19 Q. You spoke with her by telephone?

20 A. Or email, yes.

21 Q. Did you meet her in person anywhere?

22 A. Not that I'm aware of. I -- but I don't
23 remember.

24 Q. When did you exchange electronic
25 communications or phone calls, have phone calls

1 with Ms. Rabitin?

2 A. That would have -- are you asking when did
3 I --

4 Q. Yes.

5 A. -- when did we get --

6 Q. Yes.

7 A. I don't know. I -- she was who I would --
8 she is who I would contact if I had any issues with
9 deposits on online banking.

10 Q. So she was your contact person at Mechanics
11 Bank?

12 A. Yes.

13 Q. Did you understand that Mechanics Bank was
14 accepting deposits and would honor checks
15 pertaining to the McClain account and the Rabo
16 AgriFinance line of credit?

17 A. Can you rephrase your question?

18 Q. I'll try. You're aware that Rabo
19 AgriFinance is not a bank that accepts deposits and
20 honors checks?

21 A. Yes, sir.

22 Q. And that the line of credit for Rabo as a
23 result had to go through a depository bank?

24 A. Yes.

25 Q. Are you aware of that?

1 A. Yes, sir.

2 Q. And that the depository bank in that
3 relationship was Mechanics Bank?

4 A. Yes.

5 Q. Then Ms. Rabitin, was she the person that
6 you would interact with at Mechanics Bank when you
7 had questions about the account?

8 A. I would never have questions about the
9 accounts. Brian spoke with her more than I did. I
10 would just have questions if the checks -- if -- it
11 was only on online banking is what I would have if
12 I needed -- if something happened with one of our
13 deposits or something didn't read correctly on one
14 of the deposits would be when I would talk to her.
15 I didn't have any other conversations with her.

16 Q. So I hate to use this word, but I don't
17 know a better one. The mechanics of the bank
18 account, making sure that deposits were accounted
19 for, checks that were presented for payment were
20 actually paid, Jamie would be the person that you
21 would interact with at the Mechanics Bank about
22 those subjects?

23 A. I wouldn't interact with anyone about those
24 subjects. That would be Brian.

25 Q. Give us an example of what would prompt

1 your communication with Jamie.

2 A. If I had a check that I was depositing on
3 the online banking and there was an issue with it
4 or if they had a deposit limit -- so if the deposit
5 limit needed to be raised, I would contact her to
6 raise the deposit limit.

7 Q. What would be a problem with a check
8 presented for deposit?

9 A. If it didn't read correctly on the reader
10 that it would scan through.

11 Q. Did you have a scanner at your office --

12 A. Yes, sir.

13 Q. -- at the barn?

14 A. Yes, sir.

15 Q. And so if you got a check from someone that
16 dealt with this account, it would scan the check
17 in?

18 A. Yes.

19 Q. And send it to the Mechanics Bank account?

20 A. Yes.

21 Q. And if something was smudged or something
22 and the bank couldn't read the check, then you
23 would have a discussion with Jamie about that
24 problem?

25 A. Yes.

1 Q. That's what you're talking about?

2 A. Yes, sir.

3 Q. Did Mechanics Bank have remote deposit
4 devices like the one you just described at any
5 location in addition to the barn?

6 A. Not that I'm aware of.

7 Q. Was that remote device moved to your dad's
8 home when his office moved, or did it stay at the
9 barn?

10 A. It stayed at the barn.

11 Q. Turn to the third page of the letter,
12 please. What I want to ask you about are some
13 names that are listed on this letter.

14 The top paragraph refers to someone named
15 Jeff Hanson. Do you know who Jeff Hanson is?

16 A. No, sir.

17 Q. Have you had any telephone calls or email
18 communication with Mr. Hanson?

19 A. Not that I'm aware of, no, sir.

20 Q. And there's a number of people at the
21 bottom who got copies. Of course, we know who
22 Mr. McClain is, and Mr. Hanson is repeated. Linda
23 Kobliska, who is here in the room with us today.

24 Other than your interaction with
25 Ms. Kobliska today, have you had any interaction

1 with her?

2 A. No, sir.

3 Q. And there's another name of Kurt Leistikow,
4 K-U-R-T. Have you had any interaction with
5 Mr. Leistikow?

6 A. Not that I'm aware of, no, sir.

7 Q. And then there's another name on here, Brad
8 Bakker. Do you know who that is?

9 A. No, sir.

10 (Exhibit Number 48 marked for
11 identification.)

12 BY MR. LEBAS:

13 Q. I've handed you Exhibit 48. I'll represent
14 to you that these are checks, copies of checks,
15 released to us by HTLF Bank. They start with Bates
16 Number HTLF 000400 and go to 000405.

17 Would you page through that exhibit,
18 please, and verify that your name appears on the
19 signature line for each of these checks?

20 A. Yes, sir.

21 Q. Is this the stamped signature, or is this
22 the -- your personal signature?

23 A. Stamped signature.

24 Q. Who would make the stamp on the check?

25 A. Me, Kinsey, Brian. It could be any of us.

1 Q. This first check is made payable to 2B
2 Farms, April 4th, 2023. The amount is
3 \$2,530,920.39, correct?

4 A. Yes.

5 Q. Where did that number that's -- the dollar
6 figure come from?

7 A. I don't have any documentation in front of
8 me, so I can't...

9 Q. So you don't know?

10 A. Not without any -- having any documentation
11 in front of me, no.

12 Q. If I went through the rest of the checks in
13 this series, would you have the same answer?

14 A. Yes.

15 Q. You can see, just looking at the amounts
16 between April 4, 2023, and April 6, 2023, about
17 \$10 million was sent to 2B Farm by McClain.

18 A. Is that a question?

19 MR. FARMER: Was that -- I didn't hear it.
20 Was that a question or a statement?

21 MR. LEBAS: I'll restate it.

22 BY MR. LEBAS:

23 Q. Can you see from looking at the checks made
24 a part of Exhibit 15 that approximately -- I'll
25 start over.

1 Can you see from the checks made a part of
2 Exhibit 48 that approximately \$15 million was sent
3 from McClain Farms, Inc., to 2B Farms between
4 April 4, 2023, and April 6, 2023?

5 A. Yes, but each -- there's only three
6 different amounts of the six checks. So there's
7 two checks of each of these that have the same
8 amount on them, the exact same amount.

9 Q. Oh, I see what you're saying. Why -- for
10 example, let's look at the first two pages in the
11 exhibit, HTLF 400 and HTLF 401.

12 The first one dated April 4, 2023, Check
13 Number 7331, is for \$2,530,920.39. And the second
14 check also dated April 4, 2023, for the same
15 amount, but it's got the Check Number 7328.
16 Correct?

17 A. Yes.

18 Q. Why were two checks in the exact same
19 amount sent on the exact same day to the same
20 payee?

21 A. I don't know.

22 Q. It appears that same sequence occurred with
23 the next two checks in the exhibit, HTLF 402 and
24 403. Check Number 7620 dated April 5, 2023, is in
25 the amount of \$2,559,407.02, and the next check is

1 for the same amount on the same day, but it's Check
2 Number 7329, correct?

3 A. Yes.

4 Q. Do you know why that occurred?

5 A. No, sir.

6 Q. Do you recall the transactions that led to
7 the issuance of these checks?

8 A. No, sir.

9 Q. The last two checks in the exhibit are both
10 dated August 6, 2023. Excuse me. I'll say it
11 again.

12 The last two checks in the series are dated
13 April 6, 2023, correct?

14 A. Yes, sir.

15 Q. Both are dated -- both are in the amount of
16 \$2,510,991.45?

17 A. Yes, sir.

18 Q. And one check is Check Number 7330 and one
19 is Check Number 7621, correct?

20 A. Yes, sir.

21 Q. Do you know why these two checks were made
22 in the same amount to the same payee on the same
23 date?

24 A. No, sir.

25 Q. Were these checks presented for payment to

1 2B Farms and its lender?

2 MS. BIRD: Objection. I'm not sure how
3 Ms. Goad would know what happened between 2B Farms
4 and its lender.

5 MR. LEBAS: Maybe she knows; maybe she
6 doesn't.

7 BY MR. LEBAS:

8 Q. You don't know?

9 A. No.

10 Q. Did you receive any information from anyone
11 to suggest that these checks were refused?

12 A. No.

13 (Exhibit Number 50 marked for
14 identification.)

15 BY MR. LEBAS:

16 Q. I've handed you Exhibit 50. That's a
17 document that has Document Control Thorlakson_00047
18 to 00051. The first page is titled "Cattle Feeding
19 Agreement."

20 A. Yes, sir.

21 Q. Are you familiar with the form of the
22 document?

23 A. I've seen it, yes, but it is not something
24 I prepare.

25 Q. Okay. And do you see that in the document

1 itself there is a description of cattle by head,
2 weight, and price, which are assigned a lot number,
3 which is 1511, and that they are currently located
4 at 7M Feeders or McClain Feeders. Do you see that
5 language?

6 A. Yes, sir.

7 Q. And then it says there's a cost of
8 \$295,458.47, correct?

9 A. Yes.

10 Q. And so this document reflects a purchase of
11 cattle that either McClain Feedyard or 7M Feeders
12 had on hand and was selling to Thorlakson, correct?

13 MR. MICHAEL JOHNSON: Objection. Object to
14 lack of foundation, and calls for a legal
15 conclusion, and the document speaks for itself.

16 A. I don't know really how to answer that
17 question.

18 BY MR. LEBAS:

19 Q. Well, you've been asked some questions to
20 suggest that persons who were buying cattle from
21 McClain Feedyard or 7M were providing money for
22 McClain Feedyard or 7M to go get cattle. But this
23 document says that cattle were on hand, doesn't it?

24 MS. BIRD: Objection to the extent the
25 document says what it says, and she already said

1 she didn't prepare it.

2 A. Yeah, I don't -- I didn't have anything to
3 do with preparing this, so I don't know if it was
4 meant that they were located there now or if they
5 were located prior to the purchase of the cattle.

6 Q. It contains the words, does it not, "They
7 are Lots 1511 and located at 7M feeders or McClain
8 feeders"? Correct?

9 A. Yes.

10 Q. And let's look at the second page, please,
11 of the document. It's got Document Control 48. Do
12 you recognize the form of this calculation?

13 A. Yes. This is Brian's version of an
14 invoice.

15 Q. And what -- why do you say it's Brian's
16 form as opposed to some other form?

17 A. This is the form that was on his computer,
18 and he prepared these invoices?

19 Q. Okay. So he -- Mr. McClain, then, he had
20 this form, I guess, with the blanks to be filled in
21 on his computer?

22 A. Yes, sir, in an Excel spreadsheet.

23 Q. It was an Excel spreadsheet, you said?

24 A. Yes, sir.

25 Q. So for -- if you follow the same

1 procedure -- maybe you saw him do this -- he would
2 type in the head count, sex, weight, price per
3 pound, and cost, information that's shown on this
4 document?

5 A. The total cost would be auto-calculated
6 from the weight and price per pound that was
7 inputted.

8 Q. Got it. Now, there's an address at the top
9 that says "824 Mullins Lane." What address is
10 that?

11 A. That's his house address.

12 Q. As opposed to the barn?

13 A. We didn't use the barn address for any mail
14 incoming to us. There was a house that's there
15 that has occupants, and they use that mailbox.

16 Q. I'm confused. Which house had occupants?

17 A. A house that was located at the barn
18 property --

19 Q. Okay.

20 A. -- that had that.

21 Q. All right. So you didn't want mail going
22 there because it wouldn't be addressed to the
23 persons who were --

24 A. That's correct.

25 Q. -- occupying the house?

1 A. That's correct.

2 Q. Who was occupying that house?

3 A. There was a range of different people. I
4 couldn't exactly tell you exactly who.

5 Q. Were they tenants?

6 A. Yes.

7 Q. And they paid rent to your grandmother --

8 A. Yes.

9 Q. -- or to whoever inherited the property?

10 A. Yes.

11 Q. Next page, please, turn to that. It's
12 00049 titled "Projected Closeout." Are you
13 familiar with that form of document?

14 A. Yes, sir.

15 Q. Who prepared that?

16 A. I can't say for sure.

17 Q. Did you prepare some of these?

18 A. I have, yes. But given that this invoice
19 was prepared on Brian's computer, I would have to
20 assume that he prepared this.

21 Q. All right. Well, if you prepared these,
22 then, did you have a Excel form document to fill in
23 with this information --

24 A. Yes.

25 Q. -- to generate this information?

1 A. Yes.

2 Q. And I take it Brian did too?

3 A. Yes.

4 Q. What would be the inputs for the
5 projections, and what would be the information that
6 was generated automatically?

7 A. The head count would be put in. The cost
8 would be put in. Bought weight would be put in.
9 Profit would be put in. I'm trying to think and go
10 back. The sale weight would be automatically
11 generated because it would take either 750 or 775
12 multiplied by the sale that had the head count in
13 it, and that would get your sale weight.

14 The dollars sold would be generated because
15 it would take the cost, the profit, and the cost of
16 gain, and it would add those up and put them in
17 that column.

18 And the pounds gained would be
19 auto-generated because it would take the sold
20 weight, subtract the bought weight, and the pounds
21 gained would be in that section.

22 Q. So if you prepared the document, you would
23 use those inputs from Bri- -- that you received
24 from Brian?

25 A. Yes.

1 Q. And how would you get those inputs from
2 Brian?

3 A. Call, text, picture. I could be sitting
4 beside him. It ranged.

5 Q. The next two pages they have some black
6 marks on those, those are redactions that my office
7 created. It's bank account information from the
8 Thorlakson's bank is why that was done so we are
9 just producing information material to the
10 transaction question.

11 I don't know if you recall this particular
12 transaction, so I'm going to ask you in general.

13 Did Thorlakson Diamond T Feeders pay every
14 invoice that was submitted to it for payment by
15 McClain?

16 A. I can't say for sure because I don't know.

17 Q. Do you know of any it did not pay?

18 A. Not that I'm aware of, no.

19 Q. Within the books that -- and records that
20 were available to you, did you keep track of who
21 owned what cattle according to documents such as
22 Exhibit 50?

23 A. No.

24 (Exhibit Number 51 marked for
25 identification.)

1 (Off-the-record discussion.)

2 MR. LEBAS: I'll note for the record that
3 Exhibit 49 is intentionally omitted.

4 I just handed you Exhibit 51, a document
5 entitled "Cattle Feeding Agreement," and the
6 document control number at the bottom is
7 Thorlakson_00076 to 00079. Tell me when you're --

8 A. Yes.

9 Q. -- ready to look at it. Okay.

10 Do you see that's a cattle feeding
11 agreement that is signed by your dad? Correct?

12 A. Yes.

13 Q. And by -- I don't know if you know Tom's
14 signature, but someone signed for Tom Thorlakson,
15 correct?

16 A. Yes.

17 Q. First, 109 head of heifer calves, correct?

18 A. Yes.

19 Q. And it has the same language we looked at
20 before. It refers to Lot 1527 located at 7M
21 Feeders or McClain Feeders?

22 A. Yes.

23 Q. Turn to the next page, please. Is that an
24 invoice?

25 A. Yes.

1 Q. Do you know who prepared that invoice?

2 A. I would have prepared that invoice.

3 Q. It's a different form from the invoice that
4 we just looked at with previous Exhibit Number 50,
5 isn't it?

6 A. Yes.

7 Q. And how do you know that you prepared it as
8 opposed to the other form that sometimes was
9 prepared by you and sometimes by Brian?

10 A. If they were like this, 99 percent of the
11 time I prepared them. If they were like that,
12 99 percent of the time he prepared them.

13 Q. When you say "this" or "that," you're
14 referring to Exhibits 50 and 51?

15 A. Yes, sir.

16 Q. So if it looks like the second page of
17 Exhibit 51, that's -- 99 percent of the time that
18 was your preparation?

19 A. Yes.

20 Q. Was this an invoice form that was on your
21 computer?

22 A. Yes.

23 Q. Where did you get the information to fill
24 in for the head count, weight, and price?

25 A. From Brian.

1 Q. And that was -- he gave you that
2 information the same way as you discussed before?

3 A. Yes.

4 Q. The next page in Exhibit Number 0078. It's
5 a projected closeout document?

6 A. Yes.

7 Q. Is that one that you prepared?

8 A. I can't say for sure, but since the invoice
9 is that invoice, then you could assume that I
10 prepared that, yes.

11 Q. Last page of the exhibit shows a transfer
12 in the amount of the invoice.

13 A. Yes, sir.

14 Q. Were you aware of inspections made by the
15 Thorlaksons to look at their cattle at Texas
16 Feedyard locations?

17 A. Dad might mention that he was going down
18 there, if he went down there, but other than that,
19 no.

20 Q. Do you remember any particular occasion --

21 A. No.

22 Q. -- in which there were inspections by
23 Thorlaksons of their cattle at the Texas
24 facilities?

25 A. No.

1 (Exhibit Number 52 marked for
2 identification.)

3 MR. LEBAS: This is one I was able to make
4 extra copies of, so I'll hand copies to counsel.

5 MR. MICHAEL JOHNSON: What did we mark
6 this? 52?

7 MR. LEBAS: Yes.

8 BY MR. LEBAS:

9 Q. Ms. Goad, I've handed you Exhibit 52, and
10 it's a collection of some pages that -- that we
11 received a couple of days ago. I'm not saying you
12 didn't produce them before then. I'm just saying
13 when I got them. So they're not as formally
14 arranged as they might be.

15 A. Okay.

16 Q. And these are -- as I understand it, these
17 are text messages that are in printed form, all
18 of -- except the very last page is text messages
19 between you and your dad.

20 A. The first page is not between me and my
21 dad.

22 Q. Oh, it's not?

23 A. No.

24 Q. I see that at the top now. Thank you.

25 We know that because in the upper left-hand

1 corner it says "Messages - Angela"?

2 A. And by reading them.

3 Q. Who is Angela?

4 A. The lady that Brian used for reconciling
5 and for taxes.

6 Q. Is that Angela Powell?

7 A. Yes, sir.

8 Q. And we'll go through some of these, but I
9 just want to make sure I get the exchanges correct.
10 Then that's Document Control Number 0032, first
11 page.

12 And then the next ones starting at 00332
13 and continuing to 00351, those are between you and
14 Brian, correct?

15 A. Yes.

16 Q. And the last page, 00077, "Messages - Bad
17 Bitches"?

18 A. Those aren't mine. Those are my sister's.

19 Q. So this -- this was a text exchange between
20 whom?

21 A. I don't know. This is from my sister's
22 phone. It's not mine.

23 Q. Oh, all right. Good, I didn't want to ask
24 you about those anyway.

25 MR. MICHAEL JOHNSON: Do you know who Abby

1 Glisson is?

2 THE WITNESS: She worked for Sam Brown.

3 BY MR. LEBAS:

4 Q. Abby Glisson's name is mentioned in 00077.

5 A. Yes.

6 Q. And who did she -- you say she is?

7 A. She worked for Sam Brown.

8 Q. And Sam Brown is the person who --

9 A. Wild Forest.

10 Q. Yes.

11 A. Wild Forest Cattle.

12 Q. Have you ever talked to Abby Glisson?

13 A. Not that I'm aware of.

14 Q. Have you ever exchanged emails or letters
15 with her?

16 A. No, sir, not that I'm aware of.

17 Q. Do you know if your sisters have, other
18 than this?

19 A. I'm sure she has. She is who she met with
20 sometimes for Sam when she met with -- to exchange
21 checks and invoices.

22 Q. Abby would be the representative of the
23 Wild Forest Group?

24 A. I can't say that for certain but --

25 Q. That's what you --

1 A. -- she would be -- I don't know if she
2 would be a representative, but she would be who she
3 would meet with so...

4 Q. All right. Very good, thank you.

5 I wanted to look at the first page of
6 Exhibit 52, 0032. The top entry starting with
7 "Meagan, I have you," is that something that Angela
8 Powell was telling you?

9 A. Yes.

10 Q. She says, "Meagan, I have you making the
11 deposits into Farms from your personal account,
12 11/29 of \$32,086.53 and 12/30, \$31,000. I can't
13 figure out where you paid yourself back. Could you
14 help me with this? Thanks."

15 And you said, "I had a wire come in 11/29,
16 32,212.81 and a wire on 1/9, 38,043.60."

17 Tell us about those transactions, please.

18 A. They were for investment purposes, then me
19 paying for cattle and getting paid for cattle that
20 had shipped.

21 Q. So you paid whom for cattle?

22 A. McClain Farms.

23 Q. And then McClain Farms sold the cattle,
24 correct?

25 A. I paid for cattle, and then McClain Farms

1 paid me for cattle of mine that had sold.

2 Q. Who conducted the sale transaction?

3 A. Brian. He did all the buying and selling.

4 Q. Do you know who --

5 A. I didn't do any of it.

6 Q. I'm sorry?

7 A. I didn't do any of the buying and selling.

8 He did all of it.

9 Q. Do you know who the buyer was?

10 A. No, sir.

11 Q. Did you get paperwork from your dad that
12 said who the buyer was, what the price was, what
13 the cattle weighed, that kind of thing?

14 A. No, sir.

15 Q. He just told you, "You made money on this
16 deal; here's how much." Something like that?

17 A. It would be, "You need to do a -- write a
18 check to me for this. You can get Y for this."

19 Q. Let's go to the next page, please. There's
20 some names on here I'm going to ask you about.

21 A. Okay.

22 Q. At the very top of it, first entry, message
23 from Brian, "Call me and hang up. Let it ring a
24 few times."

25 A. Yes.

1 Q. What does that mean?

2 A. I don't know. That's why I asked. "Is
3 everything okay?"

4 He responded with "Absolutely."

5 I said, "Okay."

6 And he said, "Nothing to do with here." So
7 I dropped it.

8 Q. And I can't tell from this if that was on
9 March 20 or not, but the next entry did occur on
10 March 20?

11 A. Yes.

12 Q. And you say, "I need to get at least a
13 million from Bo."

14 A. Yes.

15 Q. And does that mean \$1 million from Bo
16 Robinson?

17 A. That was on the transactions that we had
18 talked about on the phone, and I was telling him
19 what was going to be coming from Bo.

20 Q. Why did you need to get at least \$1 million
21 from Bo?

22 A. Because that's what -- I was texting him so
23 he would tell me if -- what I was doing on the
24 paperwork, to text him what I was doing. Like, he
25 told me what to do, but then he would tell me to

1 text him the same thing, basically, so he could
2 have it in front of him. And that's just what he
3 had told me to do.

4 Q. All right. And then your next entry, you
5 tell him, "I only have 772 from Sam. I didn't do
6 Friday."

7 What does that mean?

8 A. So that would be invoices on Wild Forest
9 that -- that was the total of the invoices from
10 Wild Forest that were done -- or not done on the
11 Friday before. So I guess he had told me to add up
12 the invoices from Sam that were not done on the
13 Friday prior.

14 Q. "772," does that mean \$772,000?

15 A. Yes.

16 Q. And then you say, "Do some from Friday?"

17 And he says, "Yes. Remember deposit
18 limit."

19 What does that mean?

20 A. We had a deposit limit.

21 Q. Who's "we"?

22 A. McClain Farms, Feedyard, 7M.

23 Q. What was the deposit limit? Was it an
24 amount?

25 A. Yes, sir.

1 Q. And was the amount an amount of dollars
2 that could be deposited on a single day at
3 Mechanics Bank?

4 A. Yes, sir.

5 Q. What was the total amount of that limit?

6 A. If you would have asked me a year ago, I
7 probably could have told you.

8 Q. You don't remember today?

9 A. I can't remember today, no, sir.

10 Q. All right. Well, it might come to you.

11 And then you say to him, "That's why I have
12 to do so much of Bo."

13 What does that mean?

14 A. Bo would wire money in instead of a check,
15 and so he would want more money to get wired in
16 than a check.

17 Q. I don't understand "wanting to get more
18 money wired in than a check."

19 A. Because of the deposit limit, we could only
20 deposit so much money, so they would have -- it
21 would only --

22 Wires didn't count in the deposit limit, so
23 we could only physically deposit so much money.
24 And he would want -- need so much more money to
25 come in, and so that money would be in wires.

1 MR. MICHAEL JOHNSON: So you're saying the
2 wire -- they could wire you a hundred million
3 dollars?

4 THE WITNESS: Yes, they could wire a
5 hundred million dollars. It didn't matter.

6 BY MR. LEBAS:

7 Q. The deposit limit applied to checks and not
8 to --

9 A. Yes, sir.

10 Q. -- electronically transmitted funds --

11 A. That's correct.

12 Q. -- right?

13 Was there some amount that you had in mind
14 that you needed to get in deposits, whether they
15 were checks or wires?

16 A. It would have been an amount he told me.

17 Q. That "he" being Brian --

18 A. Yes.

19 Q. -- told you?

20 A. That's correct.

21 Q. So he might say just, for example, "Today
22 we need \$8,500,000"?

23 A. Yes.

24 Q. And if the deposit limit is 1 million, then
25 you need 7,000,500 from electronic sources?

1 A. Yes.

2 Q. The next entry says, "We have to send
3 Westin", W-E-S-T-I-N "wire today."

4 What is Westin?

5 A. Westin is one of the investors.

6 Q. Is that a company, or --

7 A. No. It's a person.

8 Q. -- is that an individual?

9 A. Individual.

10 Q. What is his name, full name?

11 A. Westin Raub. R-A-U-B.

12 Q. R-A-U-B?

13 A. Yes, sir.

14 Q. Do you know where he lives?

15 A. Texas.

16 Q. Do you know where in Texas?

17 A. No, sir.

18 Q. Was he someone that you -- whose name you
19 regularly saw?

20 A. No.

21 Q. Next entry, "Can't do Westin because I
22 can't figure enough for what he was taking out."

23 What does it that mean?

24 A. My guess -- I don't want to guess. I
25 can't -- without me having anything to support it,

1 I don't remember.

2 Q. He then asks you -- your dad asks you, "How
3 much extra you get?"

4 And you typed in "96."

5 Do you know what that means?

6 A. That would have been over the amount he
7 told me of the amount of money to receive for the
8 day.

9 Q. So you had \$96,000 in excess of the target
10 figure that Brian gave you for that day? Is that
11 what that's telling us?

12 A. Yes.

13 Q. Next entry refers to -- this is from Brian.
14 It reads, "Okay, we better do some Lyndal,"
15 L-Y-N-D-A-L.

16 Do you know who that is?

17 A. Lyndal Van Buskirk.

18 Q. Do you know how to spell his last name?

19 A. V-A-N -- can I see a pen? I can write it.
20 V-A-N B-U-S-K-I-R-K.

21 Q. Do you know where Lyndal was from?

22 A. Oklahoma.

23 Q. Do you know what part of Oklahoma?

24 A. No, sir.

25 Q. I'm just going to call him Lyndal.

1 Was Lyndal a person who was doing business
2 with McClain, with your dad, in some capacity?

3 A. Yes, sir.

4 Q. Do you know what kind of business he was
5 doing?

6 A. An investor.

7 Q. He was putting money in?

8 A. Yes, sir.

9 Q. And receiving payments back?

10 A. Yes, sir.

11 Q. Do you know what the scale of the
12 transactions with Lyndal were?

13 A. Not off the top of my head, no, sir.

14 Q. Was he someone whose name you saw very
15 often or not very often?

16 A. Not very -- I mean, not as much as MAP or
17 Wild Forest.

18 Q. Did you have direct communications with
19 Lyndal?

20 A. No, sir.

21 Q. And we've got another entry that -- first,
22 Kinsey. That'd be your sister, right?

23 A. Yes.

24 Q. "I know ... Kinsey," that one.

25 A. Yes.

1 Q. "I'm gonna be on sale in a little while."

2 Is that at the sale?

3 A. No. He would have a guy call him from the
4 sale barn, and he would sit on the phone with him
5 while the guy was...

6 Q. Okay. While he was -- seeing if he wanted
7 to buy any as represented by the auctioneer?

8 A. Yes.

9 Q. Next entry I want to ask you about on this
10 page refers to Michael Acey, A-C-E-Y.

11 A. Yes, sir.

12 Q. "... wanted you to be available this
13 afternoon for some loads or something."

14 Who is Michael Acey?

15 A. He is a guy that purchased cattle from
16 Washington County Livestock for Brian.

17 Q. And is that in the Benton area? I'm not
18 sure --

19 A. No, sir. It's in central Tennessee -- or
20 central Kentucky. I'm sorry. Around Lexington.

21 Q. Michael Acey is a -- he's an order buyer?

22 A. Yes, sir.

23 Q. And was he buying cattle on order for your
24 dad?

25 A. Yes, sir.

1 Q. And he'd bring the cattle here to be sorted
2 or to -- I mean, your dad pens in Kentucky to be
3 sorted?

4 A. Yes, sir.

5 Q. So that's what was happening here?

6 A. Yes, sir.

7 Q. Do you have -- would you turn to the next
8 page, please? It's Number 00340.

9 A. Yes, sir.

10 Q. The entries I want to ask you about start
11 on April 3. There's a -- something that your dad
12 sent with some information about "Jared Lesh
13 cowhorses inc"?

14 A. Yes.

15 Q. And that looks to me like a printout, or at
16 least an electronic version, of someone's contact
17 information. Is that what that is?

18 A. To me it looks like wire instructions.

19 Q. Okay. You're ahead of me. Do you know why
20 your dad sent you wire instructions for Jared Lesh
21 Cowhorses, Inc.?

22 A. With the next message being sent, I'm going
23 to say I was supposed to send a wire to Jared.

24 Q. Do you know what the amount was?

25 A. Absolutely not.

1 Q. You just don't recall the transaction?

2 A. No.

3 Q. Then we're going now further into the day,
4 April 3. All that happened at 12:55, the
5 information about Mr. Lesh.

6 Then April 3, the next -- that evening, he
7 says, "Limit is raised."

8 You get that and you say, "Okay."

9 Do you recall what that's about?

10 A. That would be the deposit limit for the day
11 was raised.

12 Q. So that means that limit we talked about
13 in my hypothetical of \$1 million, that got raised
14 to -- I'll make it up -- say \$2 million?

15 A. Yes, sir.

16 Q. Do you know what the new deposit limit was
17 after April 3, 2023?

18 A. They would only raise it as -- day by day.
19 It was not permanently raised.

20 Q. When you say they would always -- only
21 raise it --

22 A. Mechanics.

23 Q. -- who's "they"?

24 A. Mechanics.

25 Q. So Mechanics would raise the deposit limit

1 on a day-by-day basis from time to time?

2 A. Yes, sir.

3 Q. How would you find out about that?

4 A. How would I find out the deposit limit was
5 raised?

6 Q. Yes.

7 A. That would be one of the things that Jamie
8 did.

9 Q. So Jamie -- if she did it, though, how
10 would you find out about it?

11 A. She would email. It would have to be
12 requested.

13 Q. And who would do the request?

14 A. Me or Brian.

15 Q. How would you make that request?

16 A. Email.

17 Q. Now we're in the next day, April 4, 2023,
18 8:09 a.m. You say, "She is getting phone numbers."

19 "Told her I didn't have Tom's."

20 Do you know what that's about?

21 A. She was -- there was a lady from Rabo
22 there. I don't know what she was doing because I
23 was not privy to any of that information. I was
24 only told to speak with her when she wanted to
25 speak with me and to stay sparse the rest of the

1 time. And told her I didn't have Tom's number
2 because I did not have Tom's number saved in my
3 phone.

4 Q. And "Tom" being Tom Thorlakson --

5 A. Yes, sir.

6 Q. -- who's here today with --

7 You said a lady from Rabo was where?

8 A. At the barn in Benton.

9 Q. With you in your office?

10 A. Yes.

11 Q. At the barn?

12 A. Yes.

13 Q. Do you remember her name?

14 A. No, sir.

15 Q. Was she alone, or did she come with someone
16 else?

17 A. I feel like there was somebody else there,
18 but I don't really recall much.

19 Q. A man or a woman?

20 A. It would have been a man.

21 Q. Do you recall his name?

22 A. No, sir.

23 Q. Did they tell you why they were there?

24 A. No.

25 Q. Did you know they were coming?

1 A. Yes.

2 Q. How did you find out?

3 A. Brian told me.

4 Q. What did he tell you?

5 A. "There's some people coming from Rabo to
6 ask some questions."

7 Q. Did he tell you there was any difficulty?

8 A. No.

9 Q. I have some names I may -- that I'll try to
10 read through for you. If you'll give me a moment,
11 I'll get the list.

12 MS. BIRD: So we're at about 2:35 right
13 now, and Meagan has to leave by 3:30 at the latest.
14 Do you know how much longer you're going to go?

15 MR. LEBAS: Let me go through the list of
16 names later and see. Maybe I can provide those to
17 you. Otherwise, I'll go as quickly as I can. But
18 if we're not done, perhaps we can come back in the
19 morning.

20 MS. BIRD: Well, that was with respect to
21 Mr. Johnson's deposition because he's the only one
22 that noticed this. I'd have to talk to her,
23 whether she wants to come back for depositions that
24 were not noticed.

25 MR. MICHAEL JOHNSON: I do have some

1 follow-up questions to David's questions so -- I
2 mean, I don't know about these folks.

3 MS. BIRD: Right. Well, Rabo is the only
4 person that noticed it.

5 MR. MICHAEL JOHNSON: True.

6 MS. BIRD: So we are here for Rabo. We are
7 trying to be accommodating to everybody, but she
8 does have to leave at 3:30.

9 MR. LEBAS: Okay, we understand that. I'll
10 go as fast as I can.

11 BY MR. LEBAS:

12 Q. I'll try to get a -- I'll give you a name
13 that's possible. It wasn't -- it was someone from
14 Rabo. It wasn't Jamie, correct, who was the
15 Mechanics Bank lady?

16 A. Can you repeat that? I'm sorry.

17 Q. Okay. The lady from Rabo that you were
18 talking about, I was trying to find the name here.

19 A. No, I do not believe it was Jamie.

20 Q. Was the gentleman named Chip Lawson?

21 A. No, sir.

22 Q. We're looking back now at Exhibit 52, page
23 00340. And you said you didn't have Tom's number.

24 Did she tell you why she wanted Tom's
25 number?

1 A. No, sir.

2 Q. Did she ask for any phone numbers other
3 than Tom's?

4 A. Yeah. She got -- there was quite a few
5 numbers that I gave her, but I can't recall whose
6 they were.

7 Q. Then -- then you say, "Do I just get money
8 from Bo and then what," correct?

9 A. Yes.

10 Q. And what do you mean by that?

11 A. So that would be just doing Bo's invoices.
12 Would I just do Bo's invoices, or were there more
13 invoices that he wanted me to do?

14 Q. Below that is something that says,
15 "Bank Lady.vcf."

16 A. That would be a contact.

17 Q. And what did -- the lady from Rabo that
18 we're talking about, did she give you a contact
19 card or something that you then sent to Brian?

20 A. Maybe. I don't recall what that is.

21 Q. Could you look at your phone and see who
22 that person's identity is?

23 A. It's not going to tell me -- that's going
24 to be the name that's on the contact.

25 Q. Bank lady?

1 A. Bank lady will be the -- and it's not in my
2 phone, so I don't know, which could have gotten --

3 Q. I know it's been a couple years. So you
4 don't have it with you today?

5 A. No, sir.

6 Q. Then Brian sends you something that says
7 "Tom Thorlickson.vcf." [sic]

8 A. That would have been Tom's contact.

9 Q. And you said -- you asked him, "Give it to
10 her?"

11 And he said "Tom yes nothing else yet."

12 That's on the inspection?

13 A. Yes.

14 Q. This exchange we've just been discussing --
15 and this was April 3, 2023, correct?

16 A. This past one was April 4th.

17 Q. April 4. I'm sorry.

18 A. Yes, sir.

19 Q. April 4, 2023. Thank you for correcting
20 me.

21 And we looked at an exhibit a moment ago
22 that indicated a letter of April 5, 2023, that
23 froze the Mechanics Bank account?

24 A. Yes.

25 Q. Did the gentleman and the lady from Rabo

1 tell you that was about to happen?

2 A. No, sir.

3 Q. Did they tell you not to accept payments
4 that were being wired into that account because the
5 account was about to be frozen?

6 A. No, sir.

7 Q. Did they tell you that funds that were
8 going to be sent to you by cattle purchasers, like
9 Mr. Thorlakson, could not be satisfied because
10 McClain was not going to be able to provide cattle?

11 A. No, sir.

12 Q. Did they ask you to contact persons who
13 were doing business with McClain to stop sending
14 money to that bank account?

15 A. No, sir.

16 Q. Would you be surprised to the learn that
17 Mr. Thorlakson sent \$1,861,766.55 to Mechanics Bank
18 account on April 4, 2023?

19 A. I don't have anything in front of me that
20 says yes or no, so I can't --

21 Q. And because you gave that information on --
22 Tom's contact information to the Rabo personnel,
23 they could have contacted him to tell him to not
24 send that money, correct?

25 MR. MICHAEL JOHNSON: Objection. Calls for

1 speculation.

2 A. I don't know what they would do with it.

3 MR. MICHAEL JOHNSON: She also doesn't know
4 why she was asked for his contact info.

5 THE WITNESS: Yeah.

6 BY MR. LEBAS:

7 Q. Would you turn to the next page, please,
8 Number 342. I think it's a continuation of the
9 previous email string --

10 A. Uh-huh.

11 Q. -- on 341. And then there's an entry.
12 It's the third one down from Brian to you that
13 says, "Pay for Florida cattle today"?

14 A. Yes.

15 Q. What -- what does that mean?

16 A. That would have been to send checks for
17 cattle that were purchased out of Florida.

18 Q. Did the Rabo representatives tell you not
19 to send any checks to pay for cattle?

20 A. No.

21 Q. At the bottom of this page 00342, there's
22 some numbers from you to Brian and numbers back.
23 Yours are 3-650, 3-700, 4-675. Those sound like
24 weight classes of cattle, but do you know what they
25 are?

1 A. That would have been three loads of
2 650-pound calves, three loads of 700-pound calves,
3 and four loads of 675-pound calves.

4 Q. What does that mean? Were those the
5 Florida cattle?

6 A. No, sir. That would have been going off of
7 the next entry down that was Brian's response.
8 Those were cattle that he sold to be delivered.

9 Q. That Brian sold to be delivered?

10 A. Yes, sir.

11 Q. And then he sends back to you "3-650" and
12 then "75390a." What does that mean to you?

13 A. Three loads of 650-pound calves, and the
14 75390a is the PO number for that load -- or for
15 those loads.

16 Q. We haven't used this term yet. What's a PO
17 number?

18 A. Purchase order.

19 Q. Yeah, explain that.

20 A. Like, so when the cattle go to the
21 feedyard, they give them this number so they know
22 that those cattle are supposed to be going there.
23 They unload them. They know who -- where they came
24 from, things --

25 Q. Who the owner is?

1 A. -- of that nature. Yes.

2 Q. Okay. On the next page, it's 00345. Most
3 of it appears to be screenshots from handwritten
4 notes.

5 A. Yes.

6 Q. I can't read them, but I think on the
7 originals maybe we could. You mentioned that your
8 dad kept handwritten notes. Is this the sort of
9 handwritten notes that you saw him generate?

10 A. Yes.

11 Q. Where did he keep those handwritten notes?

12 A. In his office or his office at home.

13 Q. Were they file cabinets, or did they kind
14 of look like the stuff in front of me right now?

15 A. It was worse than what's in front of you
16 right now.

17 Q. Okay. Were they organized by person
18 he dealt with? You know, he had a file for
19 Wild Forest, he had a file for MAP, or was it
20 daily or --

21 A. His handwritten notes, no, they were not.
22 They were just all thrown together on legal pads.

23 Q. Do you know where those pads are today?

24 A. I assume someone -- I don't know -- no, I
25 don't know where they're at.

1 Q. The last time you saw them, where were
2 they?

3 A. On his desk.

4 Q. At his home office?

5 A. Either/or. His home office or his office
6 at the barn.

7 Q. Underneath the first one of these pictures,
8 there's something that says, "I messed the close
9 out up. Charlie is right."

10 That's you sending a message?

11 A. Yes.

12 Q. What does that mean, "I messed the close
13 out up"?

14 A. On the previous one, he asked me to check
15 on closeout, so I would have gone back and checked.
16 I could have typed a number wrong or put the
17 decimal in the wrong place so...

18 Q. And then you say "Charlie is right." Who's
19 Charlie?

20 A. Charles Lockwood.

21 Q. Lockwood?

22 A. Yes, sir.

23 Q. And tell us who he is.

24 A. He was a loan officer in Oklahoma that was
25 an investor.

1 Q. He's a loan officer?

2 A. Yes, sir.

3 Q. So his job was loan officer?

4 A. Yes, sir.

5 Q. But he privately was a cattleman?

6 A. Yes, sir.

7 Q. Do you know what bank Mr. Lockwood --

8 A. I can't --

9 Q. -- worked for?

10 A. -- remember off the top of my head, no.

11 Q. But somewhere in Oklahoma?

12 A. Yes, sir.

13 Q. Do you recall if Mr. Lockwood was someone
14 that you saw his name often or not often?

15 A. It wasn't super often, but it was often.

16 Q. Was he associated with a company?

17 A. No, sir. He was doing it as an individual.

18 Q. So whatever transactions, if we want to try
19 to figure it out, it would say Lockwood as opposed
20 to Lockwood Cattle or something?

21 A. Yes, sir, it would say "Charles Lockwood."

22 Q. On the next page, it's 00347, there's the
23 name Janet Van Buskirk.

24 A. Yes.

25 Q. And you've told us about her already. Same

1 lady?

2 A. No. I spoke of one of her relatives. It
3 was Lyndal. I'm not sure if Janet is a daughter, a
4 sister, a wife, not sure, but same family.

5 Q. Do you know why Janet was calling you?

6 A. No, sir.

7 Q. And then you sent a contact for someone.

8 Do you know who that was you were sending?

9 A. No, sir.

10 Q. Below that you say, "Has Chip called back?"

11 Is that Chip Lawson?

12 A. Yes.

13 Q. Was he calling you or Brian, or what's the
14 context of that entry?

15 A. Since this appears to be on April 6th of
16 '23, I would say that Chip was calling Brian, and
17 we were trying to figure out what was going on
18 while we were locked out of the accounts.

19 Q. And then you wrote, "Jamie may have
20 answers."

21 A. Yes.

22 Q. Is that Jamie at Mechanics Bank --

23 A. Yes, sir.

24 Q. -- that you were referring to?

25 A. Yes, sir.

1 Q. Later on this sheet but the next day,
2 April 7, 2023, 1:27, you asked, "Are they going to
3 return every check we have written?"

4 And then you say, "I'm asking because Jed's
5 trucking checks were written Tuesday and I need to
6 know what to tell him if they are getting
7 returned."

8 Is that Jed, your husband?

9 A. Yes.

10 Q. And what does that mean trucking -- his
11 trucking checks?

12 A. The JLE Trucking invoices.

13 Q. So were these checks delivered -- I mean,
14 were these checks written to him --

15 A. To JLE.

16 Q. -- from McClain?

17 A. Yes. To JLE Trucking.

18 Q. To JLE?

19 A. Yes.

20 Q. From McClain?

21 A. Yes.

22 Q. So the question is: Are the checks written
23 to JLE going to be returned back because the
24 account is frozen?

25 A. Yes.

1 Q. That's what you're asking?

2 A. Yes.

3 Q. And your dad responds, "... rerun them and
4 they will be good Monday," correct?

5 A. Yes.

6 Q. And then you write back the next day,
7 afternoon, 4:54, and you say, "Probably too late"
8 with a string of numbers. What does that mean?

9 A. That's the McClain Farms EIN.

10 Q. Why do you say "Probably too late" with the
11 McClain Farms EIN?

12 A. I would say he called me and asked me to
13 get it, and it took me a long time to get it.

14 Q. The "Probably too late" didn't refer to
15 running the checks back?

16 A. No. That has -- that was the company EIN.
17 That would have nothing to do with checks.

18 Q. Let's look at page 351. These sort of got
19 out of order, so it's a couple pages in. And at
20 the top of page 351, there's a date stamp, 4/11/23.
21 Do you see that?

22 A. Yes.

23 Q. And there's a -- looks like an image of --
24 it says, "Last week invoice. She sent it last
25 night."

1 Can you tell what that is?

2 A. That would be an invoice from Riley
3 Livestock.

4 Q. Riley Livestock?

5 A. Yes.

6 Q. And was Riley one of the persons or
7 companies that your father dealt with?

8 A. Yes.

9 Q. Did Riley sell cattle to your dad or buy
10 cattle from your dad?

11 A. They bought cattle for my dad.

12 Q. They were a buyer?

13 A. Yes.

14 Q. Broker?

15 A. Broker or buyer, all of the above.

16 Q. Cattle jockey?

17 A. Yeah, they did it all.

18 Q. Okay. So you say, "Last week invoice. She
19 sent it last night."

20 So this is Riley sending a bill, right?

21 A. Yes.

22 Q. And then you say, "Stop back dating stuff.
23 I can't keep up with all the trucking shit I have
24 to do. And if they look into anything it's going
25 to look suspicious as shut."

1 A. Yes.

2 Q. What are you getting at there?

3 A. He was back dating invoices, so he was --

4 Q. "He" being?

5 A. That Brian was going and taking things that
6 I had done and changing them and backdating them.

7 Q. So you would send an invoice for payment to
8 be paid?

9 A. It was --

10 Q. You'd send a McClain invoice saying, dear
11 somebody, please pay McClain --

12 A. Yes.

13 Q. -- X dollars?

14 A. An invoice, like, on these other exhibits,
15 one of those invoices, a cattle invoice, and then
16 he was going back in and backdating them.

17 Q. How would you find -- how did you find out
18 about that?

19 A. I went in my office, and he was in there
20 doing it.

21 Q. On the computer?

22 A. Yes.

23 Q. Do you know which persons that he was doing
24 business with that he was backdating records?

25 A. No.

1 Q. Do you have any way to figure that out
2 today?

3 A. No.

4 Q. When you confronted him -- well, I take it
5 you confronted him with that at the time you saw
6 him?

7 A. Yes.

8 Q. What did he say?

9 A. He didn't. He just blew me off and said,
10 "I'll deal with it. Don't worry about it."

11 MS. BIRD: Since we're almost at 3:00 --

12 MR. LEBAS: I'm going -- yeah, I'm going to
13 pass the witness.

14 MR. MICHAEL JOHNSON: All right.

15 MR. LEBAS: Well, we have people on the
16 line also who may have questions.

17 MS. BIRD: Again, they didn't notice it
18 so --

19 MR. MICHAEL JOHNSON: So what do you
20 want -- I mean, again, it's up to you. You're
21 right. On the other hand, if we don't let them ask
22 questions today or tomorrow, they may call you in
23 here again, so it's kind of up to you.

24 MS. BIRD: Right. It's something we'll
25 talk about. I don't know -- nobody's voiced

1 anything on the Zoom, and we've been clear about
2 the 3:30 start time -- stop time so --

3 MR. MICHAEL JOHNSON: Yeah.

4 MR. MASSOUH: This is John Massouh. I do
5 have a handful of questions, but, you know, if you
6 prefer us to separately notice you, that's fine,
7 however you want to do it. I just have a handful
8 of questions. I don't know how many you have,
9 Michael.

10 MR. MICHAEL JOHNSON: Probably 5 to 10
11 minutes of questions.

12 MS. BIRD: So hopefully we'll get through
13 all of it, then.

14 MR. FARMER: Let's go through your
15 questions first. That way we know we've at least
16 complied. And then if we have time left over
17 before 3:30, then we'll --

18 MR. MICHAEL JOHNSON: We've got 35 minutes.
19 And if everybody's willing to not take a break,
20 maybe we can just press through.

21 MS. BIRD: I think that's probably
22 preferable to Meagan.

23 THE WITNESS: Yeah, that's fine.

24 ///

25 ///

1 REDIRECT EXAMINATION

2 BY MR. MICHAEL JOHNSON:

3 Q. So, Meagan, Mr. LeBas showed you Exhibit

4 47, the letter I sent to Mechanics Bank.

5 A. Yes.

6 Q. Do you remember that?

7 And he asked you about the names on that
8 letter, and you said, other than Jamie, you didn't
9 know who they were, correct?

10 A. Yes.

11 Q. Who at Rabo do you recall dealing with by
12 name? Chip Lawson, probably?

13 A. Yeah, the only dealings I had would be
14 what -- like, minimal. I didn't have any dealings
15 with -- Chip would be the only person I feel like
16 at Rabo that I had even spoke to.

17 Q. So you don't recall anybody other than Chip
18 ever -- ever speaking to anybody at Rabo other than
19 Chip Lawson?

20 A. No. And the lady that came --

21 Q. In April?

22 A. -- in April, yes.

23 Q. And you don't remember her name?

24 A. No.

25 Q. Okay. And you don't -- it's fair to say,

1 is it not, that you don't know what actions, if
2 any, Mechanics Bank took in response to my letter
3 other than freezing the account, correct?

4 A. That's correct.

5 Q. So you don't know if they gave us any
6 money, didn't give us any money, anything like
7 that?

8 A. No, I have no idea.

9 Q. All right. Exhibit 48 was what?

10 A. 2B checks.

11 Q. I'm not going to ask you any questions
12 about that.

13 Exhibit 50, I think you said Exhibit 50,
14 you believe your dad actually prepared this
15 information -- this documentation?

16 A. Yes, sir.

17 Q. Because it's an -- the invoice form is
18 different than the form that you use, right?

19 A. Right.

20 Q. And the cattle agreement form looks similar
21 but maybe a little different than what you're used
22 to, or is it the same basic cattle agreement?

23 A. No, it's different from what I use.

24 Q. Okay. And that reflects some sort of an
25 agreement with Mr. Thorlakson and his company,

1 correct?

2 A. Yes.

3 Q. To your knowledge, did Mr. Thorlakson or
4 any of these people that I've called investors, did
5 they actually sell, physically sell -- sell and
6 physically deliver cattle to McClain, or was this
7 just -- were they all just investment arrangements?

8 MR. LEBAS: Object to the form. The word
9 "investors" is not defined.

10 A. None of them would bring physical cattle to
11 the feedyard.

12 BY MR. MICHAEL JOHNSON:

13 Q. Okay. And then, for example, on this
14 example with this Thorlakson, assuming he or
15 somebody else -- you know, another person that was
16 doing the same thing sent money to McClain, would
17 McClain do anything to segregate the cattle, brand
18 the cattle, show the cattle as being owned by
19 anybody other than the McClain entities?

20 Like, for example, was there a Thorlakson
21 ear tag stuck on the cattle or a Thorlakson brand
22 stuck on the cattle?

23 A. It would go off of the lot number.

24 Q. So you'd -- other than the lot number, that
25 was it?

1 A. Yes, that I'm aware of.

2 Q. Okay. That is the only exhibit I have.

3 It's a stack of texts. So you produced some texts
4 with you and Kinsey, correct?

5 MR. LEBAS: This is our next one, 53.

6 MR. MICHAEL JOHNSON: Do you have an extra
7 copy?

8 MS. KOBLISKA: Yeah. It's in a staple, but
9 that's --

10 MR. MICHAEL JOHNSON: Okay, we'll mark it
11 as 53.

12 (Exhibit Number 53 marked for
13 identification.)

14 BY MR. MICHAEL JOHNSON:

15 Q. I just have a few questions on this. I'm
16 putting in front of you Exhibit 53. Do you have
17 that?

18 A. Yes.

19 Q. For the record, it's Bates labels
20 GoadMoreland_000259 through 000278, for the record.

21 Are these texts between you and your dad,
22 or are they between Kinsey and your dad, or do you
23 know?

24 A. These would be from Kinsey because my kids
25 are not in daycare.

1 Q. Okay.

2 MR. LEBAS: Would you identify the numbers,
3 please?

4 MR. MICHAEL JOHNSON: Yeah, it's
5 GoadMoreland_000259 through 000278.

6 MR. LEBAS: 259, 278. All right, thank
7 you.

8 BY MR. MICHAEL JOHNSON:

9 Q. In these emails, your dad -- and you said
10 that these are Kinsey's, right, texts? But he's
11 saying, "I need you to do some research to add
12 small hidden cameras see which is best and easy to
13 use."

14 Do you know anything about your dad wanting
15 to put cameras up?

16 A. They were for his home, for personal use.

17 Q. And did you -- did he ever tell you why he
18 was looking into cameras?

19 A. No.

20 Q. If you'll turn to -- at the bottom of the
21 page, it's 262. It's some texts that are occurring
22 on January 20th of '23 at 6:01 p.m. Do you see
23 that?

24 A. Yes.

25 Q. So apparently Kinsey says, "You good with

1 me leaving 20 in your truck and taking money out of
2 what I got for you today."

3 "There is one that's on the bottom shelf.

4 Is that it?"

5 And your dad says, "It is black." [sic]

6 Do you see that?

7 A. Yes.

8 Q. And then there's the answer, "Yes."

9 "Not very inconspicuous with it right there
10 when you open the doors."

11 Do you see that?

12 A. Yes.

13 Q. So did your dad often ask you or Kinsey to
14 give him large cash amounts?

15 A. No.

16 Q. Did it ever happen?

17 A. He would cash small checks on calves that
18 he would take to -- we have local slaughterhouses.

19 Q. Uh-huh.

20 A. And when those calves would go to the
21 slaughterhouse, they would be random, different
22 people that would purchase a half beef or whole
23 beef, and he would cash those checks. I mean, they
24 were -- most of them were \$1,500 or less.

25 Q. And then he would cash the checks, and then

1 he would ask you to put the money in the McClain
2 accounts? Is that what happened?

3 A. No, we can't -- we could not put cash into
4 the McClain accounts with it being in California.

5 Q. And you said on the checks that were
6 written, you had a remote capture machine, right --

7 A. Yes.

8 Q. -- that you'd run the checks through?

9 A. Yes.

10 Q. Did he ever tell you -- maybe I just asked
11 you this. If I did, I'm sorry.

12 Did he ever tell you why he was worried
13 about or wanted cameras? Was there something going
14 on?

15 A. He never told me anything about it, no.
16 They spoke about it, I think, but I didn't know.

17 Q. "They" being he and Kinsey?

18 A. Yes.

19 Q. Okay. If you turn to GoadMoreland_000265,
20 up at the top, it says, "Hey Brian! I actually need
21 165 now if you have it. 80-Angie, 25-donnitta,
22 10-Tyra, 50-Beth. Need this money from harts weigh
23 please."

24 "Take it to maranda, Michael Evans wife,
25 work."

1 Do you see that?

2 A. Uh-huh (affirmative). Yes.

3 Q. Do you know what's going on here in this
4 text exchange?

5 A. That would be hamburger meat from --
6 because Hart's is a slaughterhouse.

7 Q. And so what does it mean when -- do you
8 know who told your dad, "I need 165 now"?

9 A. No.

10 Q. Do you know what that means? "I actually
11 need 165 now if you have it. 80-Angie,
12 25-donnitta, 10-Tyra, 50-Beth."

13 A. I can speculate, but I don't know for sure.

14 Q. What's your speculation?

15 A. That it's pounds of hamburger meat.

16 Q. All right. So you think this is just
17 somebody wanting some burger --

18 A. Yeah.

19 Q. -- or some meat?

20 A. Because it says, "Need this Monday from
21 harts weigh please."

22 So that's what makes me believe it was
23 hamburger meat.

24 Q. Turn to 267, if you would. Again, I
25 understand these are not your texts. They're

1 Kinsey's. But on February 6, '23, at 5:16, Kinsey
2 texts your dad, apparently, that says, "I'm at the
3 light at beanies coming to your house to bring cash
4 and get a check."

5 Did you or Kinsey often take cash to your
6 dad and exchange cash for checks?

7 A. No.

8 Q. Do you know what this is about?

9 A. No.

10 Q. On 1276, GoadMoreland_276, your dad says,
11 again to Kinsey, "Can you come by and get cash for
12 David?"

13 Do you know who David is?

14 A. He was the feed guy.

15 Q. So did he work for McClain?

16 A. Yes.

17 Q. So rough math, there's somewhere between
18 \$150 and \$170 million missing, unaccounted for.

19 Do you have any idea where all of the cash
20 that ran in and out of the McClain enterprises may
21 have ended up?

22 A. I have no idea.

23 Q. Do you know if -- I mean, did your dad buy
24 any property or anything like that?

25 A. Not that I'm aware of.

1 Q. Did he invest in anything?

2 A. Not that I'm aware of.

3 Q. Did he -- did he use drugs?

4 A. I can't say for sure.

5 Q. Do you believe he used drugs?

6 A. Yes.

7 Q. Do you believe he was having an addiction
8 problem?

9 A. Yes.

10 Q. Was that the entire time, or was it more
11 kind of later towards the end?

12 A. Probably the last year.

13 Q. Do you know -- what type of drugs do you
14 believe your father was abusing?

15 A. He was drinking heavily.

16 Q. Drinking?

17 A. Drinking heavily.

18 Q. Was he using any other drugs whether
19 prescribed or not?

20 A. Adderall or Vyvanse.

21 MR. LEBAS: Adderall and what?

22 THE WITNESS: Vyvanse.

23 MR. LEBAS: What is Vyvanse?

24 THE WITNESS: A form of Adderall.

25 ///

1 BY MR. MICHAEL JOHNSON:

2 Q. And Adderall is -- it's like an ADHD
3 medicine, isn't it?

4 A. Yes.

5 Q. Did he have ADHD problems, to your
6 knowledge?

7 A. Not that I'm aware.

8 Q. So it's your belief that he was abusing
9 Adderall and drinking way too much?

10 A. Yeah.

11 Q. Did you ever notice a change in his
12 behavior or actions or anything like that that made
13 you suspicious?

14 A. I wondered why he started drinking so much
15 more, but other than that, I mean --

16 Q. Was that -- was he drinking a lot before --
17 while he was still married to Crystal, or was that
18 more after he was married to --

19 A. After.

20 Q. -- Chelsea?

21 A. Him and Crystal divorced is whenever he
22 started drinking more.

23 Q. Okay.

24 MR. MICHAEL JOHNSON: That's all I have.

25 John, you had some questions?

1 MR. MASSOUH: Yes, just a few.

2 CROSS-EXAMINATION

3 BY MR. MASSOUH:

4 Q. Hi. My name is John Massouh. I represent
5 a handful of different -- what we refer to as
6 cattle creditors, including some of the Leshes. I
7 know you testified a little bit about some of the
8 Leshes's dealings with Mr. McClain.

9 You had mentioned that -- I think your
10 testimony was all the Leshes got a checkbook, a
11 McClain checkbook or checks, that were already
12 blank checks. Is that correct?

13 A. A lot of them did, yes, sir.

14 Q. Okay. Can you tell me which ones? I think
15 there's several different Leshes. Do you know
16 which of the Leshes actually received blank checks?

17 A. I believe Jan and Gary, Colette, which Joel
18 and Colette were one in the same at that time. And
19 I want to believe that Jared also got blank checks
20 as well.

21 Q. Okay. Any other Leshes that may have
22 received blank checks?

23 A. I don't believe so.

24 Q. Earlier Mr. Johnson was asking you about
25 the borrowing base reports that were submitted to

1 Rabo. With regard to those reports, it's my
2 understanding from your testimony that you would
3 fill them out based on information you would
4 receive from Brian, correct?

5 A. Yes.

6 Q. And there was times when -- my
7 understanding, there were times when you were
8 filling those out based on that information where
9 Brian was in the same room with you and other times
10 where he was not. Is that fair?

11 A. Yes.

12 Q. When he was in the same room with you
13 providing you the information for the borrowing
14 base report, what types of document -- or what was
15 he looking at in order to provide you the
16 information to include in the report?

17 A. He always had one of his legal pads with
18 him, but I don't know exactly what he was looking
19 at.

20 Q. Would he ever refer to any information on
21 his computer?

22 A. No.

23 Q. It was just simply whatever his notes were
24 on the legal pad?

25 A. Yes, sir.

1 Q. Did you ever come across -- I think you
2 mentioned you came across a lady and possibly a
3 gentleman who was in the barn with you from Rabo.

4 Did you ever come across any other in
5 person any other representatives of Rabo?

6 A. Other than Chip Lawson, no. I was always
7 told to make myself disappear when there was anyone
8 around.

9 Q. Do you know if Rabo sent inspectors to the
10 various yards to do an inspection of cattle?

11 A. I do not know.

12 Q. Do you know whether or not other banks,
13 like AgTexas or Amarillo National Bank or Community
14 State Bank or First Bank & Trust sent inspectors to
15 look at -- to the yards to look at cattle and
16 inspect cattle?

17 A. I do not know.

18 Q. Did you ever come across any bank
19 inspectors that were there to inspect the yard for
20 cattle?

21 A. No, sir.

22 Q. Did you ever come across any bank
23 inspectors that were seeking financial or
24 accounting information from you or anyone else who
25 worked for McClain?

1 A. Other than the one lady from Rabo, no, sir.

2 MR. MASSOUH: I pass the witness.

3 MR. MICHAEL JOHNSON: We've got about 15
4 more minutes. Does anybody else have a few
5 questions for Ms. Goad?

6 MR. LEBAS: I've got a follow-up question.
7 I don't know if it's my turn or not.

8 MS. BIRD: If no one on the Zoom has one,
9 Mr. LeBas said he has more.

10 MR. LEBAS: Just one and maybe a follow-up
11 depending on the answer. Okay, not hearing any
12 objection.

13 RECROSS-EXAMINATION

14 BY MR. LEBAS:

15 Q. Does the name Michelle Stockett sound
16 familiar to you?

17 A. Yes, sir.

18 Q. How do you know Michelle Stockett's name?

19 A. I feel like she was the one that came to do
20 the inspections, I think. But the name definitely
21 sounds familiar.

22 Q. You think she was the lady who was at the
23 barn? Was that Michelle Stockett?

24 A. It would not be the one that was asking
25 questions. So prior to the one who came that was

1 asking questions, there was a lady that came to do
2 an inventory count. I was not privy to any of
3 that. I just know that she came and did it. I
4 never saw her. I just know that it was happening.
5 And the name sounds familiar.

6 Q. Okay. So the sequence of events, would
7 this be correct? That you met with the lady in the
8 barn whose name you can't remember right now and
9 you think Mr. Lawson. And then sometime after that
10 meeting, Ms. Stockett came to look at cattle in
11 Kentucky?

12 A. No. It would be opposite. They came to do
13 inventory prior, and then the one that came that
14 was asking questions came after they did an
15 inventory.

16 Q. All right. So the sequence of events would
17 be Michelle Stockett came to look at cattle in
18 Kentucky. And after that, the lady with Mr. Lawson
19 came to talk to you in your office at the barn?

20 A. It was not Mr. Lawson. I'm not sure who it
21 was, but it was not Mr. Lawson.

22 Q. All right. Well, whoever that was -- so
23 let me rephrase it.

24 Michelle Stockett did the report -- sorry.
25 Michelle Stockett performed an inspection in

1 Kentucky. After that, you had the meeting in your
2 office at the barn with a Rabo representative who
3 was female and one that was male --

4 A. Yes.

5 Q. -- correct?

6 Do you know how long before the meeting at
7 the barn that you just described the inspection
8 occurred? What was the time lapse?

9 A. Within a week, I feel like. I can't be for
10 sure, but I feel like it was within a week.

11 Q. So if the -- the meeting in the barn was
12 early April 2022, then the inspection would have
13 been maybe late March or very early April 2022?
14 Does that sound right?

15 A. Honestly, I don't know.

16 Q. Okay. I can give you a date of the barn
17 meeting because that's on Exhibit Number 52,
18 page 340. It's three pages into the exhibit. And
19 the reference to "bank lady" appears under the
20 timestamp April 4, 2023.

21 A. Yes, sir.

22 Q. And so you're saying, to the best of your
23 recollection, the inspection in which Ms. Stockett
24 was involved occurred within approximately one week
25 before April 4, 2023?

1 A. I feel like that would be accurate, but my
2 sense of time could be off because it's been a
3 little over a year.

4 Q. I understand. I'm just asking for your
5 best estimate at this time.

6 A. Okay, we'll stretch it out. We'll just say
7 within the month just to make sure it'll be broad
8 enough.

9 Q. Did you keep any records of the visit by
10 Ms. Stockett of an inspection?

11 A. No.

12 Q. Did she leave any records with you of the
13 results of her inspection?

14 A. I was not privy to any of that information.

15 Q. Were you present when the inspection
16 occurred?

17 A. No.

18 Q. Was your dad?

19 A. Yes.

20 Q. Do you know where the inspection occurred?

21 A. No. I was told to make myself scarce and
22 to go away for a while.

23 Q. Who told you that?

24 A. Brian.

25 Q. Did he tell you ahead of time that the

1 inspection was going to occur?

2 A. Yes.

3 Q. How long before the time that you learned
4 about the inspection occurring did he tell you it
5 was going to occur? That's probably a bad
6 question.

7 A. Yeah. Can you rephrase that?

8 Q. When he told you the inspection would
9 occur, how long before that call in which he told
10 you the inspection would occur did the inspection
11 occur?

12 A. He probably told me the day before.

13 Q. Did he tell you how he learned it was going
14 to happen?

15 A. No.

16 Q. Did you see documents that said, "Someone's
17 coming out. We need to get ready. Get the cowboys
18 prepared"? Anything like that?

19 A. No.

20 Q. Do you remember anyone other than Michelle
21 Stockett coming to look at the Kentucky facility
22 during the time frame that you mentioned?

23 A. No.

24 Q. She was by herself as far as you know?

25 A. As far as I know. I never laid eyes on

1 her, so I don't know.

2 MR. MICHAEL JOHNSON: Just one. Couple
3 follow-up.

4 MR. LEBAS: Hold on. I want to make sure I
5 covered everything.

6 MR. MICHAEL JOHNSON: Sorry, David.

7 BY MR. LEBAS:

8 Q. Did you have any contact with the
9 inspection team after this inspection occurred?

10 A. No.

11 MR. LEBAS: I pass the witness.

12 REDIRECT EXAMINATION

13 BY MR. MICHAEL JOHNSON:

14 Q. You said you knew Michelle Stockett came.
15 You didn't ever see her, lay eyes on her, talk to
16 her, or anything like that, right?

17 A. Correct.

18 Q. If I told you that Michelle Stockett was
19 there in Kentucky on or about March 10th, would
20 that sound about the right time frame? So almost a
21 month prior to the April 4th meeting?

22 A. That could be, yes.

23 MR. MICHAEL JOHNSON: That's all I have.

24 MR. MASSOUH: One quick follow-up question.

25 ///

1 RECROSS-EXAMINATION

2 BY MR. MASSOUH:

3 Q. The lady that came and was asking
4 questions while you're in the barn, what -- you may
5 have answered this before, and I may have missed
6 it, so I apologize.

7 What types of questions do you recall her
8 asking you?

9 A. General questions of cattle flow and things
10 of that nature. I didn't answer that many
11 questions with her. I spent maybe 30 minutes with
12 her.

13 Q. Did she ask for any documents or financials
14 or anything of that nature?

15 A. Not from me, no, sir.

16 Q. How long did that meeting occur when she
17 was in there with you in the barn?

18 A. With me, it was probably only 30 minutes,
19 but she was with my dad for -- I can't recall, but
20 they were together a lot.

21 Q. I couldn't see some of the exhibits that
22 Mr. LeBas was asking you about, but if I recall, if
23 I understood correctly from the questioning and
24 your answers, there was some -- I guess some text
25 messages relating to seeking of telephone numbers

1 for different individuals.

2 Was she asking you about telephone numbers
3 for individuals?

4 A. Yes, sir.

5 Q. Okay. And what individuals do you recall
6 her asking you for a telephone number for?

7 A. I don't. The only one would be Tom
8 Thorlakson because that was on the text messages,
9 but I don't recall anyone else other than that.

10 Q. Do you recall if she was asking you for
11 phone numbers related to other customers of
12 McClain?

13 A. Yes.

14 Q. Do you recall approximately how many, just
15 in -- an approximation?

16 A. I don't remember.

17 Q. Do you think it was over 12?

18 A. I wouldn't think so.

19 MR. MASSOUH: Pass the witness.

20 MR. MICHAEL JOHNSON: Anybody else?

21 MR. LOVELL: Not here.

22 MR. JAVON JOHNSON: This is Javon Johnson
23 on behalf of Mechanics Bank. I don't have any
24 questions for the witness, but I did not do an
25 announcement at the beginning, so I just wanted to

1 do that for the sake of the record. Thank you.

2 MR. MICHAEL JOHNSON: So I think we're done
3 with the examination. I assume you want to read
4 and sign?

5 MS. BIRD: Yes.

6 MR. MICHAEL JOHNSON: Okay. That means
7 they'll send the transcript to Charity or Todd.
8 Probably Todd, right?

9 And then you'll have the opportunity to
10 read through it, make any necessary corrections. I
11 think you have 30 -- at least you usually have 30
12 days.

13 MS. BIRD: Yeah.

14 MR. MICHAEL JOHNSON: And then if you don't
15 make changes, it's going to be exactly as the court
16 reporter takes it down. If you have changes, there
17 will be a correction sheet. You can mark down page
18 whatever, line whatever, change it to this. Send
19 it back to Todd. He'll send it to the court
20 reporter.

21 We thank you for making yourself available
22 today, and we are going to get you out of here by
23 3:30.

24 (The deposition concluded at 3:21 p.m.)
25

